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TWO PROBLEMS OF ENGLISH GOVERNMENT

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BUREAUCRACY IN ENGLAND

BUREAUCRACY IN ENGLAND

I

BOTH the word bureaucracy and the thing have an evil savour in the nostrils of most Englishmen. The word, a horrid hybrid of French and Greek, deserves everything that can be said against it. As for the thing, the average intelligent Englishman, without troubling to analyse it very carefully, instinctively dislikes and despises it. He thinks it essentially "un-English." He associates it with the rule of red tape, with the intolerable insolence of the jack-in-office, with all sorts of pedantic invasions of the freedom of action of the individual. He believes that it is to be seen in its logical development in Russia, in the cold-blooded formalism of the second-rate intelligences that submit to be the agents of despotism. He resents with almost equal intensity the forms which it assumes in Germany, where he has a vision of an inhumanly over-educated and priggish set of officials meddling in every detail of private life—a whole nation for ever suffering the discomforts of the parade-ground. He finds it rampant even under the

democratic government of France. That pleasant land seems to him to bristle with petty officials, who behave as if they were the masters, and not the servants, of the public. He is willing to admit that a certain dreary efficiency may in some fields be produced by bureaucracy; but he believes it to be essentially hostile to the English idea of liberty, and at the sacrifice of that even the highest efficiency would be too dearly purchased.

Our average Englishman does not, perhaps, put the issue as clearly as this to his own mind. But he instinctively feels that bureaucracy is a more real antithesis to liberty than either monarchy or aristocracy. That is the ultimate reason for his contentment with our habit of "muddling through." He does not like muddling in itself, but he vaguely feels that muddling is the price we have to pay for our freedom from dragooning, and it comforts him to think that in the end we *do* muddle through—that in the long run liberty works. This instinct, again, forms the real ground of the average Englishman's hostility to anything that calls itself Socialism. He has no genuine prejudice against state action or municipal action in themselves; he is quite ready to consider on their merits schemes for municipal tramways or municipal milk, national telephone service or national forests. But tell him that the result of any set of proposals will be to let loose upon him a horde of officials prying into his private concerns, and his alarm is at once aroused. As in the days of the opposition

to Walpole's Excise Bill, the Englishman is still ready to believe that he is threatened by un-English inquisitorial methods of government, and to raise the old cry of "No wooden shoes!" It was to this instinct that Lord Rosebery powerfully appealed in his Glasgow speech against the Budget of 1909; a speech some passages of which would not have been inappropriate in the mouth of Pulteney when he was fighting the Excise Bill. The bogey which Lord Rosebery conjured up was simply the bogey of bureaucracy. It is a bogey which has, for large classes of our community, very real terrors. Nay, it may almost be said that fear of this bogey is one of the few strongly held political principles of large classes of Englishmen. They have altogether forgotten the old hatred of despotism, the old smouldering enmity to aristocratic ascendancy; they have lost enthusiasm for, perhaps even belief in, representative government, and have begun to despise Parliament; and the hereditary but vaguely-realised taste for liberty has come to be little more than a merely negative aversion from fussy and meddlesome officials, and a dim dread lest their power increase even in free England.

It is only during the discussions of the last few years that it has begun to dawn upon the Englishman that bureaucracy already exists in England. He vaguely thinks that (so far as it exists) it is a mushroom growth of very recent origin, and that its increase can be easily checked; whereas it has been growing in range and power for seventy years, more rapidly in

each decade than in its predecessor. It has not yet begun to dawn upon the Englishman that he himself takes the universal existençe of bureaucracy for granted, that he has, in fact, become—despite all his fear and dislike of the thing—completely dependent upon it. "*They* ought not to allow it," he habitually says, whenever anything goes wrong in the outward circumstances of his life. And who is covered by this vague "they" if it be not a staff of expert public officials, assumed to exist, whose business it is to see that things go smoothly and that the citizen is not worried? The Englishman is, indeed, ceasing to feel that he is personally responsible for the right organisation of all the circumstances of his life, and to that extent he is losing the habit of self-government, acquired in the days when he was liable to be summoned without pay to act as constable or relieving officer or road-maker. He is every day learning to rely more and more upon the silent and unresting services of innumerable public servants, each expert in his own sphere. He is coming to be scornful and distrustful of the mere amateur. That is one reason why he is losing his belief in Parliament. He thinks Lord Kitchener ought to be at the head of the War Office with full powers, instead of a talking politician; he is inclined to be impatient of parliamentarians who talk for hours about subjects on which they are ignorant—they should leave these matters, he says, to the people whose business it is to know all about them. In short, just when the English-

man is becoming most passionately alarmed about the danger of bureaucracy, he is also becoming in practice more and more dependent on bureaucracy. He lives under its guardianship every hour of the day; but he does not realise it, because he takes its activities for granted. He declaims against it as the last iniquity of Socialism, and he finds it every day more necessary to his comfort. An American lady once told the writer that the most characteristically English thing she ever saw was the action of an old gentleman in a railway carriage when he discovered that the window could not be opened. He was getting out at the next station, but he produced a postcard from his pocket and at once wrote a complaint to the traffic manager of the line. "That," said the American, "could only have happened in England, among a people so instinctively self-governing that each citizen feels it to be his duty to see that things are right, even when he is not himself concerned." It was a shrewd comment. But it may be noted that it was an *old* gentleman who did this. A younger man would have thought it none of his business, and would have been content to appeal to bureaucracy, with the common invocation "*they* ought not to allow it."

The Englishman, then, has in fact not merely accepted but become dependent upon bureaucracy. What he resents when he comes across it abroad is not (as he thinks) the mere fact of bureaucracy, but only the unfamiliarity of the forms which it assumes in other countries.

II

BUREAUCRACY means the exercise of power by professional administrators, by trained and salaried experts. It has never existed, and will probably never exist, by itself; but it can thrive equally well under any form of government, monarchic, aristocratic or democratic. In some degree, of course, it is essential to the working of all governments. But the degree of independent authority which the bureaucrats or salaried experts wield will obviously vary in proportion to the variety and complexity of the functions undertaken by government. Where (as in eighteenth-century England) neither the national nor the local government performs any but the most limited functions, there will be little room for the professional administrator, and he can be kept in a humble and subordinate place. A hundred and fifty years ago the national government practically confined itself to the management of foreign affairs, which was the natural hobby of the class that found itself in social relations with the court circles of the chief European countries; to the maintenance of a small army and navy, whose commands were traditionally reserved to members of the ruling

class; and to the attempt to regulate trade by a fiscal tariff. The regulation of domestic affairs, subject to the terms of a few general laws, was left to the local gentry acting as an unpaid magistracy in the counties, to the close corporations in the boroughs, and to the vestries in the parishes; and it was only on the rarest occasions that the central government dreamt of interfering in these functions. Thus locally there was very little room for the professional administrator; while in the central government a comparatively small number of Foreign-Office clerks and messengers, a crudely organised Admiralty and War Office, a customs service, and a very rudimentary postal service represented almost all that was necessary in the way of professional administrative staff. It was still possible for the amateur, the parliamentary politician, to keep himself in close touch with all the business of a department of state; and so long as this lasted, the professional administrator could be kept within the sphere of a mere clerk, obeying orders. He had not yet become a bureaucrat, a person wielding independent authority.

But during the nineteenth century the sphere of government has been rapidly enlarged in all directions and in all countries. The old functions have marvellously increased in range and complexity; and new functions have been undertaken which dwarf the old. A foreign office is now concerned not merely with the old-fashioned diplomacies between a few European courts: it is in daily telegraphic communication with every

part of the world; it is represented by consuls in every important town in the world; it undertakes the protection, and is in some degree responsible for the action, of every citizen who may be travelling abroad in any country of the world. The army and navy have enormously increased in size and cost, and in the complexity of their appliances; every detail of huge and elaborate arsenals, dockyards, barracks, scattered over two hemispheres, every grievance of every soldier, every detail of commissariat and equipment, come under the review of the Admiralty and the War Office. Though the number of items in our tariff has been reduced to a minimum, and though we have abandoned the attempt to regulate the course of trade, yet the colossal increase in the volume of commerce has necessitated the maintenance of an army of custom-house officials, and another and huger army has been called into being to collect income-tax, death-duties, and other modern imports, with a vigilance of inquisition which would have appalled the contemporaries of Walpole. We have opened post-offices in every hamlet, and made the executive government responsible for seeing that every duly stamped and addressed packet is delivered at its destination in moorland cottage or Indian jungle-station within the minimum number of hours or days. Whereas local administration used to be left to develop as it would in infinite variety, we have not only set up by legislation a whole series of new bodies for the purposes of local government, and conferred upon them immensely

extended powers, but we have imposed upon the central government the duty of seeing that these powers are used, and of regulating and supervising in detail almost the whole of these multiform activities. Whereas in the old days industry was carried on under a few general laws, the enforcement of which was left to the justices of the peace without supervision, we have gradually developed a lengthy code of factory laws and similar regulations, and charged the central government with the function of seeing that no one disobeys them. We have set up schools in every parish, and every detail of their administration and curriculum is subject to the jurisdiction of Whitehall. The catalogue might be continued, but it is needless. It is obvious that the business of government has become inconceivably more complex, elaborate and minute than it used to be —than it ever has been in the history of the world. It has become so vast and so multifarious that it can only be carried on by an enormous and carefully graded hierarchy of officials, each expert in his own field—that is to say, by a bureaucracy.

Theoretically these salaried experts act under the orders of amateur politicians, the elected representatives of the People. In practice nine-tenths, or, rather, ninety-nine-hundredths, of their work must be and is carried on by the bureaucrats without anything but the most nominal reference to the political chiefs. Reflect for a moment upon the range of immense public offices at Whitehall, and think that behind every

one of these innumerable windows sits an Able Official, busy all day with his ready pen, writing reports, issuing orders, sending out inspectors, settling questions referred to him—"I am instructed by their Lordships to inform you." Here are scores of men, cultivated and with long experience, each one of whom knows everything about some special subject. One knows all there is to be known concerning uncertificated teachers; another has at his finger-ends every detail about the Uganda Railway; a third knows just how many pounds of tobacco ought to be consumed by a given number of marines; a fourth has devoted intimate study to the devices adopted by distracted Boards of Guardians in dealing with malingering casuals. Into the midst of such a group of men, often his equals in intellectual power, and always his superiors in special knowledge, comes a politician whose readiness in debate or gift of platform declamation has raised him to Cabinet rank. He is the head of the department, and perhaps at the outset he imagines he is going to control it; nay, if he be a self-important ass, and has to deal with very clever men, he may even go on supposing that he does control it. But if he is not a fool he soon finds that this is quite out of the question. To begin with, it is physically impossible that he should even hear of nine-tenths of the business transacted in the office. He will be asked questions in Parliament about all sorts of obscure matters; but all that he can do when faced by such questions is to obtain the facts from the

responsible official, read out the neatly typewritten answer that is supplied to him, and ask for notice of any new point that may be raised. It is true that all business which is considered to be of first-class importance is sifted out in the office and comes before him. But the officials do the sifting, and the business that comes to him comes with the comments and recommendations of men who know every aspect of it with an intimacy which he can never hope to attain. Perhaps a dozen important matters may be laid before him in the course of a day, all of widely different characters, and he may never have heard of one of them before. He has to deal with them between a Cabinet meeting and an important debate, while his mind may be distracted by a big platform speech to be delivered next day. They are submitted for his decision by men who have known every aspect of them intimately for years, and who have been placidly shaping their recommendations while he was in the heat of debate. Is it not clear that (unless he be either a consummate ass or a man of exceptionally penetrating intelligence) he will rarely venture to override the judgment of his official advisers or to express an individual view? Once in a while he will take his courage in his hands, when a principle of party politics seems to be involved; occasionally the urgency of some influential section in his own constituency, or among the supporters of his party, will cause him to use his power over the great machine of which he is the figure-head in a mode which the officials

would not themselves have suggested. Naturally the dependence of the political chief upon his official inferiors will vary from office to office, for some offices deal with more obscure and more esoteric matters than others; and it will inevitably vary according to the ability of the man. But in most departments of state even the most vigorous and self-reliant politician will confine his personal activity to a comparatively small number of cases, and the mass of the business of the office will be in effect conducted under the uncontrolled authority of the bureaucrats.

Thus it comes about that the most steady, persistent and powerful influences in the government of England are those of the great permanent officials of whom the ordinary elector scarcely ever hears, whose actions are certainly never submitted to his judgment, and whose very names are rarely or never mentioned in the newspapers. It is no exaggeration to say that, so far as concerns the carrying on of daily administration and the enforcement of existing laws, which is nine-tenths of the business of government, this country is governed by a pure bureaucracy, which is tempered only by the fact that each group of bureaucrats has to convince a distracted and ill-informed politician, seldom interested in any subject that is not a matter of party warfare; and has also to satisfy the lively but quite haphazard and spasmodic curiosity of the House of Commons. The Houses of Lords and Commons, and the Cabinet as well, might be abolished to-morrow, and, so far as the mass of

citizens is concerned, there would be not the least difference except for the absence of certain columns of not very instructive speeches in the newspapers; for a time at least the government of the country would go on just as usual. Lords, Commons and Cabinet might almost be described as a complicated and decorated garment, clothing and concealing the real working body of bureaucracy. That is, as we shall see, an exaggeration; but it is not without an element of truth.

Nor must it be supposed that the power of the bureaucracy is confined to the administration of existing laws. It plays a vitally important part also in finance and legislation, which are in theory the exclusive preserves of Parliament. This is perhaps most obvious in regard to finance. It is, of course, the national expenditure which governs the national revenue. But the national expenditure is determined by the demands of the various departments of the executive, and these are mainly fixed by the permanent officials. Does any one suppose that the political First Lord of the Admiralty can have any independent voice in deciding the precise sum to be spent on the upkeep of an arsenal, the proper crew for a battleship, the number of rounds necessary for adequate firing practice, or the numbers of vessels of different kinds required in a properly organised naval force? These are clearly matters for experts; that is, for bureaucrats. No item of national expenditure has shown a more rapid and steady increase than the education vote. Yet (apart from the establishment of free

education) this increase has not been due to legislation; it has not even been due, for the most part, to new kinds of expenditure deliberately undertaken by the Cabinet. It has been due, above all, to the administrative action of the Board of Education, to the regulations which it has laid down regarding grants, to the responsibilities it has undertaken on the recommendation of its inspectors. No doubt these proposals have generally been laid before the political chief for the time being; but the political chief is seldom able to master the intricacies of educational machinery before he is moved up to some less uninteresting office. No doubt the scales of grants have been laid on the table of the House of Commons, and received its tacit assent; but the House of Commons is quite incapable of understanding them or criticising them, and its time is swallowed up by other business. Thus it comes about that in essence our national expenditure has been fixed by the bureaucracy; and as the bureaucracy never dies, and never quits office, the main features of national expenditure remain unchanged, and the growth of it continues steadily. When we pass from the national expenditure to the national revenue which has to be raised to meet it, the influence of the bureaucracy is less patently, but not less powerfully felt. It is not merely that the collection of the revenue and the assessment of the amount due by each citizen are necessarily functions of bureaucracy, and that the yield of any tax depends upon the

efficiency of the officers who collect it, upon their patience and ingenuity in securing that no one escapes without payment: the great bureaucrats of the Treasury further exercise a very powerful influence in determining the scheme of taxation as proposed in each year's budget. That scheme must, of course, be in accord with the political doctrines of the party in power; but within these limits (which do not usually form any severe restriction) there is abundant room for influence. No Chancellor of the Exchequer could possibly draw up a budget without the aid of the Treasury officials. No Chancellor can afford to treat lightly the suggestions of the permanent heads of the Treasury. It is not unlikely that the average humdrum budget is almost wholly the work of the Treasury bureaucrats; while at least half the credit for even the most innovating budget probably belongs to them.

In the field of legislation it might be supposed that the bureaucracy would exercise less authority; but this is not so. It is true that the officials are not primarily responsible for the big contentious measures which mainly occupy the time of Parliament and the attention of the public. These represent the programme of the party in power, and are in their main principles the work of the party chiefs. Even these bills, of course, have to be worked out in detail, and must often be largely modified, by the permanent officials; in some cases the most valuable provisions of even these big bills have probably

been suggested by them. Thus the very important provisions of the Education Act of 1902 are, apart from the religious clauses, essentially administrative in character, and must certainly have been devised in detail, even if they were not originally suggested, by the bureaucrats of the Education Office; they have all the air of a scheme of reform suggested by practical administrative experience. But the big bills, which are elaborately debated in Parliament and discussed in the newspapers, form always a very small proportion of the total number of bills proposed and carried in a parliamentary session. The great majority of legislative proposals have no interest for most members of Parliament, and the public hears nothing about them until it sees a list of them at the end of the session. Many of these are purely departmental in character, suggested by the bureaucrats of the Board of Trade or the Home Office, and embodying provisions found to be necessary in the course of administrative work. These are the bills which are called non-controversial, which go through all their stages with the greatest ease, attracting no attention. Often enough they affect the daily life of the citizen far more intimately than the measures over which controversy rages. They are nominally the work of Parliament; but really the work of the bureaucracy. If all the legislation of the last half-century by which the daily routine of English life has been affected could be traced to its sources, it would certainly

be found that a very large proportion of this legislation is essentially bureaucratic in its origin. And not only do many of these laws emanate from the bureaucracy; every one of them enlarges the sphere of government, and with it the power of the bureaucrats.

There still remains a very large field of legislative activity in which Parliament takes practically no part, and which is almost exclusively controlled by the bureaucracy. This is what may be called the field of administrative regulation, whereby effect is given in detail to the general provisions of statutes. In the seventeenth, and still more in the sixteenth, century this power was very freely exercised by the Privy Council, and it constituted perhaps the most striking evidence of the strength of the royal prerogative. In the eighteenth century Parliament, being very jealous of the power of the Crown, largely took this power into its own hands, with the consequence that the Statute Book is, during that period, filled with innumerable special acts dealing with the most absurd minutiae. The Enclosure Acts may be quoted as an example of these essentially administrative bills. They were, of course, seldom discussed: Horne Tooke found it necessary to libel the Speaker publicly in order to force a discussion of one enclosure act; and as a consequence all system and order vanished from English government during the eighteenth century. During the nineteenth century the tendency has increasingly been to reverse this process, and

Parliament now passes acts of a general character, and entrusts to one or another department of state very large powers of giving effect to these general provisions by specific regulations. An indication of the change of method may be found in the final Enclosure Act of 1845, under which the Board of Agriculture is authorised to appoint commissioners with full powers to investigate any enclosure proposals, and to define the conditions on which the enclosure shall be carried out. In the same way the Local Government Board has been given large powers to revise and rectify the boundaries of local administrative divisions, and it is slowly engaged upon the vast and laborious task of getting rid of the absurdities which still survive. Orders issued under these powers have, in most cases, to lie upon the tables of the Houses of Lords and Commons for a defined period before they have full legal effect, but it is only in the rarest cases that the action of the department is questioned or challenged. Two illustrations may be given of the magnitude and importance of this kind of subsidiary legislation. Parliament has established universal education. But it is the Board of Education which determines what the child shall learn, how his school buildings shall be arranged, how his teachers shall be selected, trained, and paid; the real educational law of England is to be found, not in the Statute Book, which is made by Parliament, but in the codes of the Board, which are the work of the bureaucracy. Again, Parliament has set up a system of poor relief. But if you

make a collection of all the statutes dealing with this subject, you will not begin to know the law of it; indeed, you will find that the existing practice is so far from carrying out the Poor Law Reform Act of 1834, which is supposed to be the governing law on the subject, that actually the existing practice is in direct conflict with that Act. The real law which governs the relief of destitution is to be found in an enormous mass of orders and regulations issued by the Local Government Board. It has taken Mr. and Mrs. Sidney Webb a whole volume to describe the development of our poor law system since 1834; but they have little to say regarding the action of Parliament. They are mainly concerned with the legislative activity of the bureaucracy of the Local Government Board, by which our poor law system has in all its main features been established, almost without the conscious co-operation of Parliament.

It appears, then, that our average Englishman is very much mistaken in supposing that England is free from the bureaucratic influence which arouses his hostility in other countries, or that, so far as it exists, it is a recent growth which can be rooted up without seriously disturbing the fabric of national life. On the contrary, it has come to be, here as in all other countries, and here more than in many other countries, the very heart of our governing system. Our bureaucracy directs, practically without control, nine-tenths of the work of administration; it is mainly responsible for the character and the growing amount of our

national expenditure; it directly wields immense legislative powers under the terms of statutes, and is indirectly responsible for a large proportion of the parliamentary legislative output. How comes it, then, that the Englishman is almost unconscious of the existence of so huge and efficient a power, controlling his life? The explanation is to be found in the fact that during the period in which this power has grown up, and thrown its tentacles round every part of the nation's activity, there has been an almost total silence about the men who have wielded it. Read any history of England in the last century: you will gather the impression that the Cabinet and the House of Commons have been the only operative instruments of our government; you will hear nothing about the permanent officials, everything about the politicians vapouring and flourishing in Parliament. There has been the most astonishing conspiracy of silence to maintain this illusion. Neither in debates nor in the press have the actions of the bureaucrats, who are in so many ways our real masters, been openly and independently discussed. There are several reasons for this. One is that by a constitutional convention the political head of an office is alone held responsible for all its acts, and against him all criticism is directed. It must often have been hard for a minister, defending some mistake of an official subordinate of which he has never heard till it was rooted out by a party opponent, to assume all the blame to himself; but the understanding is never broken, the subordinate

is never publicly, however he may be privately, blamed. The sense of fair-play combines with political theory to bring about this result. For the civil servant is precluded from defending himself; he is voiceless, he cannot be heard in Parliament, he may not by speech or writing discuss any of the proceedings of the office *coram populo*. This arrangement continues because it is advantageous to both sides. It certainly cannot be ungrateful to the parliamentary politician. If he has to take the blame, he also takes the credit, of the bureaucrat's work; and there is far more credit than blame. In the eyes of the world he is a vastly more important person than he would be if the real state of the case were fully understood. On the other hand, the bureaucrat also has every reason to be satisfied, if he is content with the reality of power and can dispense with its trappings. Beyond question the growth of his power has been greatly facilitated by the fact that everybody has agreed never to mention his name, and to pretend that the political chief, who is really dependent on him, is responsible for everything done in the office.

But in these last years the conspiracy of silence seems to be breaking down. The bureaucrat has become far too powerful and important a person for it to be any longer possible that everybody should go on pretending that he does not exist. Quite suddenly some of the bureaucrats have come forward into the limelight, in a way which would have shocked the

constitutional purists of the Victorian age, and ministers and members of Parliament and even newspapers have begun to discuss them with some freedom. Sir Charles Hardinge accompanied the late King on his tours of peace-making, and these episodes were the subjects of debates in Parliament. Sir Anthony Macdonell's administration in Ireland gave rise to debate after debate, in which his name, his policy, even his political and religious opinions, were discussed with a freedom quite without parallel, and the public realised with a certain shock that the permanent official was in this case the real controlling force in government. Mr. M'Kenna has more than once shielded himself behind "my advisers," almost promulgating the doctrine that it was his duty to submit to the judgment of the bureaucrats; and the whole nation took open part in the discussion of the character and work of Sir John Fisher. Sir Robert Morant is assuredly far better known to the vast number of teachers and educational administrators now to be found in England than any of the quickly shifting ministers who come and go in the Education Office. The bureaucrats, it would appear, are coming into the open; and if the process continues, it must assuredly exercise a very important influence upon our constantly changing system of government. It may weaken the bureaucrats themselves, or check the growth of their power, which has thriven in obscurity; it may undermine the authority of the Cabinet minister, and still further diminish the dwindling

prestige of Parliament. But whatever the result, it is at least a good thing that we should see things as they are, and, in discussing the working of our system, should face the facts, and not bandy futilities by discussing paper theories of government which have no relation with reality.

During the last seventy years bureaucracy has won the effective control of local as well as national government. It has won it for the same reason, because of the immense enlargement of the sphere of municipal government, and the difficult and specialised character of the work to be done. The real government of any big English town, and (though in a less degree) of any English county, is conducted by a small group of able officials—a Town Clerk, a Head Constable, a Medical Officer of Health, a Director of Education, a City Engineer, and so forth. These officials are nominally the executive servants of committees formed from among elected representatives; but much of the work with which they deal is so specialised in character that in practice the committees seldom interfere with it. The municipal bureaucrat will often have need of great tact in the handling of his committee; but if he possess this invaluable administrative gift he will generally get his own way. Every day more and more weight is given to the dictum of the expert, and the Town Councillor hesitates long before he ventures to override it, because he begins to realise that public opinion, which is generally on the side of the expert, will blame him for doing so. It has

already come about that the true description of the government of our bigger towns and counties is not that it is carried on by committees served by paid officials, but that it is carried on by experts checked by the necessity of carrying committees along with them. The best governed cities are those which have the best permanent officials or bureaucrats; and as the big cities can afford to pay larger salaries, they get the best officials, and are therefore best governed. Moreover, it is in the big cities that the bureaucrats enjoy most independence and most authority; partly because they are usually men of great ability; partly because their work is so various and complex that the layman feels himself incompetent to judge it; partly because they receive salaries sufficiently large to make them the social superiors of many members of their committees, a fact which in England counts for a good deal. The growingly close relationship between the national and the local government also tends to the steady strengthening of the power of the local bureaucracy. On innumerable points local action requires the approval of the Local Government Board, the Home Office, the Board of Education, or the Board of Trade. In all such matters the local official will stand in a position of great advantage as compared with the members of his committee; they may feel themselves his masters at home, but at Whitehall the position is reversed. For he is in frequent and friendly relations with the national officials; and the bureaucrats whom he goes up to interview,

or the inspectors whom they send down to deal with his committee, are always *a priori* inclined to take the side of the official, and thus strengthen his position. On the other hand, the frequent occasions of conflict between the local and the central powers inevitably tend to magnify the authority of the local bureaucrat, for his committee, in all such controversies, feels itself helpless without its expert.

It appears, then, that a great change has passed over the government of England during the last century, and especially during the last forty years. A hundred years ago the functions of government, whether central or local, were very narrowly conceived, and they were not only capable of being performed, but were performed, mainly by amateur politicians. The gentlemen of England filled the Houses of Lords and Commons, occupied the main administrative posts, and did genuinely themselves make all the most important administrative decisions. The country gentry, on the bench at quarter sessions, controlled the whole administrative machinery of the counties; the well-to-do traders of the towns, in their little close corporations, similarly controlled town government. This was, in its way, a genuine system of self-government. But all that has changed. The change is commonly described as a change from aristocracy to democracy, but that is only half of the truth. It would be more accurately described as a change from government by amateurs of a ruling caste to government by experts under the

criticism and the ultimate control of popular representatives. Provided that the experts are well selected for their work, and provided that the criticism and control are efficiently exercised, this is probably the best form of government that could be devised. It is merely futile to deplore the change, to lament the growing power of the official, to bewail the decay of self-government. The change was inevitable, because the complex business of governing a modern state can only be conducted by skilled professional administrators. Willingly or unwillingly, we must recognise that the control of the professional administrator has become the efficient working part of our system, and that all the rest of the mechanism must henceforth be justified by its efficiency in regulating, stimulating, and purifying the work of the bureaucracy. It is important, therefore, to form a just judgment, first, as to the qualities and defects of our bureaucracy, and, secondly, as to the efficiency of our representative institutions in regulating it and guarding against its defects.

III

A GENERAL survey of the character and quality of the English bureaucratic class shows certain marked and outstanding merits. In the first place, this class obviously includes a very large number of men of high ability. Increasingly every year it draws into its ranks the cream of English intellect, or of that portion of English intellect which is trained at Oxford and Cambridge. And if it be still true that some of these men are scholars rather than administrators, and give the best of their minds to literary or philosophical pursuits outside their official duties, yet it is unquestionably true that a great proportion of them show a genuine devotion to their work, and a high and public-spirited sense of its responsibility. In these last decades no Englishman who takes any part in public affairs, or is responsibly connected with any great industry, can have failed to come into frequent contact with the officials and inspectors of the Home Office, or the Local Government Board, or the Board of Trade, or the Board of Education; and, whatever criticisms he may be inclined to make, no man who has had such contact will fail to do credit to the ability, the

assiduity, and the sincere public zeal of the great majority of members of the public service. Nor is there ever a whispered suspicion of corrupt interest. It never occurs to us to doubt that the bureaucratic officials, who wield such immense powers, are clean-handed and disinterested beyond all reproach. So much do we take their incorruptibility for granted that we do not even think of praising them for it. This is in itself an immense tribute; it means that in the essentials our bureaucracy is sound and healthy.

What is still more remarkable, in a country which is deeply divided in every aspect of national life by the cleavage of political parties, and which has made party the keystone of its whole system of government, is that the bureaucratic system has attained so high a degree of impartiality that even local administrative bodies, which are generally of a partisan complexion, and are often at war with the central government, never think of seriously charging the officials with either party or religious bias. This is indeed a great achievement; it is an achievement which we may perhaps claim to have attained in England more fully than it has been attained in any other country. Without doubt it is because of these virtues of our bureaucracy that we have left to it powers so vast and so imperfectly controlled as we have seen that it exercises. And if it can justly be said that the actual administration of our laws is placed in the hands of men of ability, zeal, scrupulous clean-handedness, and absolute impartiality, then, whatever other

defects we may discover, we may still justly feel that we have taken a great step towards the solution of the problem of government.

The secret of this success of ours is to be found in three facts. In the first place, bureaucratic appointments are not in England any longer given for political reasons, as a reward for past services to a party, or on the condition of future services. Secondly, once appointed, the bureaucrat enjoys remarkable security of tenure, and runs no risk of being dismissed when a new ministry with a new policy comes into power. In the third place, the bureaucrats have learned to suppress all expression of their political opinions without abdicating the functions of citizenship, and to carry on their work with equal cheerfulness and efficiency whatever government may be in power ; a strong tradition within the public service itself aids them in maintaining a scrupulously non-partisan attitude, and the constitutional convention whereby the political chiefs are held responsible for every act of the permanent officials forms an invaluable safeguard and protection. These features of our political system are so striking and so fundamental that it is important to understand the process whereby they were established. Few Englishmen realise how slow and uncertain this process was, and how recently it reached its consummation.

Two centuries ago, when parliamentary control of the executive was beginning to be effectively established in England, civil service posts were very far from being free from partisan

influence. The Stuart kings had, throughout the seventeenth century, unflinchingly employed their control over the appointment to all offices as an indispensable weapon in the struggle to obtain influence over Parliament. They used offices of lower grades as a means of controlling elections in particular constituencies where (as in dockyard towns) such officers were numerous, or as a means of supporting the candidates whom they favoured in constituencies which they did not directly control. They used offices of higher grade as a means of purchasing the votes of members of the House of Commons. Even William III., parliamentary sovereign as he was, made the largest possible use of this power for the purpose of controlling the House of Commons; and it was the fear lest the Crown should, by its control over patronage, reduce Parliament to subservience that led to the inclusion in the Act of Settlement (1700) of a clause rendering all holders of offices under the Crown ineligible to Parliament. But this clause in the Act of Settlement never came into operation, because when it was passed the control of the executive by the party which had a majority in the House of Commons was already beginning, and both parties realised that this control could only be made effective if the chief executive officers sat in Parliament and were subject to its criticism. Accordingly it was qualified by a later Act in 1705, and the employment of civil service patronage for the purposes of political corruption went on as before. Walpole, and after him

Newcastle, used the control of the civil service in the most cynical way as a means of influencing the constituencies and as a means of bribing the elected representatives. Important persons in constituencies were kept quiet by the gift of offices to themselves or their relatives; members of Parliament who voted with government were given the nomination to collectorships of customs and postmasterships in their own districts; the more lucrative offices were used as bribes to members, and every civil servant was made to understand that his livelihood depended upon the use which he made of his vote. In the first Parliament of George I. (1714) there were no less than two hundred and fifty-seven members who held offices of profit under the Crown, and most of these were offices which to-day would be regarded as belonging to the permanent civil service. Despite a persistent campaign against this evil, the number of office-holders in Parliament diminished very slowly; in the second Parliament of George II. there were still two hundred in the House of Commons, and in the Parliament of 1770 one hundred and ninety-two. This last date, indeed, marks the moment when the exploitation of the civil service for partisan purposes, both in Parliament and in the constituencies, was at its height; it was mainly by annexing the patronage which his predecessors had left in the hands of their ministers that George III. had, in the decade 1760-1770, overthrown the solidly entrenched oligarchy of the Whig nobles, and in the next decade he and his

chosen minister, Lord North, used the same weapon with unflinching cynicism. Whoever would understand how completely and how nakedly administrative efficiency was in the eighteenth century sacrificed to secure partisan ascendancy, will find in the *Correspondence of George III. and Lord North* a most amazing demonstration. The fall of Lord North was accompanied by an attack upon the means by which his corrupt control over the House of Commons was secured, and from this time onwards the number of placemen in the House —that is to say, the use of civil service posts to bribe members of Parliament—rapidly declined, and had become negligible long before the Reform Act of 1832. But the use of civil service posts, great and small, as a means of buying the support of electors and establishing party influence in the constituencies continued unchecked, whatever party was in power. It was by means of the lavish and skilful use of his patronage in India, the navy, etc., that Pitt's right-hand man, Dundas, established that extraordinary dictatorship over Scotland of which Lord Cockburn has drawn such a vivid picture, and which brought it about that from 1775 to 1806 the whole body of forty-five Scottish members voted uniformly and steadily as Dundas directed. Nor did the triumph of the Reform movement make any difference. Whatever party was in power equally used this potent weapon. All civil service appointments were used for the purpose of rewarding party loyalty,

or strengthening the party cause. It is true that the evil never, during the nineteenth century, reached the full dimensions of the American spoils system at its worst; there was no universal clearance of Liberal postmen and custom-house officers to make way for Conservatives when the one party succeeded the other in power. But nearly all vacancies were filled for partisan reasons; members of Parliament of the dominant party expected to have the nomination to posts within their own constituencies, and the Patronage Secretary to the Treasury, who conducted all this business, was the hardest-worked, and one of the most important members of each administration in turn. Moreover, though men might deplore the existence of such a system, it was generally regarded as inevitable. "What is vulgarly termed jobbing," wrote a prominent politician as late as 1853, "is the ineradicable vice of constitutional governments. Jobbing is a part, though an ugly part, of the price which a free people pay for their constitutional liberty. So long as there are parliamentary constituents they will ask favours of members of Parliament, and members of Parliament of ministers, and ministers will on their part have a tendency to satisfy such solicitants."

If "jobbing" was the price of liberty, it was a very high price, for it spelt inefficiency. It loaded the civil service with incompetents, who could not be got rid of lest their patrons should lose votes. "Many instances could be given," a

retired civil servant wrote in the middle of the nineteenth century, "of young men, the sons of respectable parents, who were found unable to read and write, and utterly ignorant of accounts. Two brothers, one almost imbecile, the other much below the average of intellect, long retained appointments, though never equal to higher work than the lowest description of copying. Another young man was found unable on entering to number the pages of a volume of official papers beyond ten. It used to be by no means uncommon to have a fine fashionably-dressed young man introduced as a junior clerk. On trial he turns out fit for nothing. The head of the department knows from old experience that a representation of this fact to higher quarters would merely draw down ill-will upon himself. The first official duty with which the young man is charged is therefore to take a month's leave of absence that he may endeavour to learn to write." Thus the influence of party politics upon the civil service, "the price we pay for liberty," led to the waste of public money and to inefficiency in administration, while it was inevitable that a bureaucracy of this character should awaken deep dissatisfaction among those who had to deal with it. The range of the functions of bureaucracy was infinitely less in the first half of the nineteenth century, when this party influence was still strong, than it is to-day, and the powers which it exercised affected the life of the citizen far less intimately. Yet we do not to-day hear any such scornful and bitter criticisms of it as

were to be heard seventy years ago. No one now would think of writing of the civil service in the tone used by Dickens and Thackeray. And the simple reason is that we have in the meanwhile purified our bureaucracy of all partisan influence. No doubt jobbery is not altogether dead—perhaps it will never wholly vanish. But at least it may honestly be said that in almost every department of the bureaucracy its influence is now negligible.

In the long and painful struggle whereby our bureaucracy has been cleansed from the mire which once defiled it, two distinct processes can be perceived. The first is the process whereby civil servants of the higher ranks were gradually shut out from the House of Commons, and precluded from taking an active part in political strife; the second is the process whereby the power of nominating to the mass of civil service posts, especially of the lower grades, ceased gradually to be used for the purpose of influencing parliamentary elections.

Before the first of these processes could be achieved, it was essential that a clear distinction should be drawn between two types of public offices: those whose occupants must *not* sit in Parliament, and must not let their political sympathies be known, and those whose occupants *must* sit in Parliament, and must be declared party men. Though this distinction has become for us a commonplace, it is by no means an obvious or inevitable distinction, and it took long to establish. No such distinction occurred to the framers

of the Act of Settlement; they excluded from the House of Commons all servants of the Crown without discrimination. When it was realised that this exclusion would make it impossible for Parliament to exercise effective control over the executive, and would impose upon the party leaders the necessity of either abandoning effective party leadership or refusing to accept office, the framers of the Act of 1705, which repealed this clause of the Act of Settlement, as little realised the possibility of such a distinction. They tried to guard against the extension of corrupt influence by excluding from the House of Commons the holders of offices created after 1705; but, with some exceptions, they allowed holders of pre-1705 offices to sit, irrespective of the character of their offices. The result was that during the eighteenth century Parliament was continually called upon to decide whether a given office was to be considered as having existed before or after 1705, and such questions were often determined purely according to the dictates of party interests. Moreover, many new offices, such as the Secretaryship for War or the Colonies, were obviously of such a character as to make it desirable that their holders should sit in the House, and in these cases special enactments made their holders eligible. Thus, throughout the eighteenth century, no clearly defined principle of distinction between parliamentary and non-parliamentary offices was ever laid down. Like most principles of English politics, the distinction grew up gradually in fact before

it existed in theory ; and what shaped it was the long campaign against placemen and against the corruption of the House by the executive. In the course of this struggle a series of small acts, not dictated by any logical principle at all, declared one office or class of offices after another to be incompatible with a seat in the House. The most famous and important of these acts is Burke's Economic Reform of 1782. This Act did not affect a very large number of offices, and it certainly did not lay down any clear principle. But it represented, and gave a new force to, a growing public opinion ; and after 1782 party leaders increasingly felt that there was something discreditable in the use of public offices as bribes for representatives, that office-holders ought not to be in Parliament if their presence there was not necessary for the information or guidance of Parliament, and that those officials who did not sit in Parliament ought not to be definitely identified with parties, and ought not to be changed with a change of ministry. Thus it is not statute, but only a constitutional convention arising out of a growing public opinion, which has cut the old and mischievous relation between the House of Commons and the civil service. Even to-day many members of the civil service are not excluded by any statute from parliamentary life, but only by the tradition of the service and the domestic regulations of the various offices. These office regulations could in many cases be cancelled to-morrow by the authority of the political chiefs. The political

chiefs must often feel that their party cause would profit greatly if they could bring into the arena some public servant conversant with every aspect of a controverted question. Yet it never occurs to them to use this power, because public opinion quite definitely insists upon impartiality in the bureaucracy. The bureaucrat himself, as he watches ill-informed politicians and journalists misrepresenting some question on which he feels deeply and about which he knows everything, must often be tempted to wish that he might tell the electorate the real facts of the case. Yet he never seriously thinks of doing so, because the tradition of the service dominates him, and the tradition of the service forbids. So we may say that the abstention of the higher grades of the bureaucracy from party politics ultimately rests upon no statute or definite enactment, but upon a vague convention, upon public opinion, and upon a healthy official tradition, which have all grown up within the last hundred years.

If it took long to establish a sound relation between Parliament and the bureaucracy, and to draw clearly the distinction between the political and the administrative branches of the public service, it took longer still to establish a sound relation between bureaucratic patronage and electioneering, and to draw clearly the distinction between the private and the official aspect of the public servants' political opinions or allegiance. The reformers of the eighteenth century were chiefly concerned to reduce the number of placemen in Parliament, and for a long time made no

attempt to deal with the use of the mass of public servants by government as a means of corrupting constituencies. When they did awaken to this aspect of the problem, their first device was the simple one of disfranchising the officials, just as their first device for dealing with the other question had been to exclude officials from the House of Commons. Thus in 1782 the whole body of custom-house officials were disfranchised; and it is instructive to note that they were disfranchised partly at their own request, to save them from the bullying of the rival parties, each of which habitually threatened dismissal to all officials who did not vote on the right side. Disfranchisement no doubt improved matters in those constituencies where government servants formed an unduly large proportion of the small eighteenth-century electorates. But disfranchisement did not affect the main evil. If the public servant could not now be driven to the hustings to vote for government on pain of loss of livelihood, public offices could still be bestowed upon the sons and nephews of electors whose support the ministerial candidate wished to secure, and this process went gaily on: in the middle of the nineteenth century it was estimated that 16,000 public offices were thus used for political purposes, and filled by men selected not because they could do the work required, but because they were the relatives of voters. Not all these 16,000 officials were disfranchised, but in the first half of the century there was a wide belief that they ought to be disfranchised,

as a means of purifying elections. Yet there is no reason of logic or justice which would exclude the civil servant from the ordinary rights of citizenship. He is not less qualified, he is usually better qualified, than his neighbour to form a reasoned judgment on political questions; nor is he more likely than other citizens to be influenced by considerations of personal interest. He ought, as we have agreed, to avoid ranging himself publicly on one side in the party warfare, lest the impartiality of his administration become suspect. But that is not to require that he shall have no opinion on questions which affect every citizen, or that he shall not have the power of throwing the weight of his silent vote on the side to which his judgment leans. Without his vote the many-sided expression of the nation's will must be incomplete, and to disfranchise him is therefore at once to do him an injustice and to do the nation a wrong. Disfranchisement, therefore, is doubly unsatisfactory; it is bad in itself, and it is ineffective as a mode of purifying the electoral system. Accordingly, since 1868 the franchise has been restored to all civil servants. But it was only possible to restore it because in the meanwhile a more effective way had been discovered.

The device by which the corrupt and partisan use of patronage was ultimately overcome was the simple one of filling posts by means of competitive examination. Introduced, amid a good many misgivings, in 1853, this method was at first applied only to a limited number of posts.

It worked so well that it has been rapidly extended until to-day the great majority of permanent public servants, whether of higher or lower grade, are appointed in this manner; and there is probably no country in the world, except China, which has ever carried it so far as England. The establishment of this system has undoubtedly had many most admirable and salutary effects. It has brought into the public service a stream of able men. It has got rid almost wholly of the noxious influence of party jobbery, and shown that this heavy price need not be paid for constitutional liberty. Unquestionably the purity of our bureaucratic system is largely (though not wholly) due to it. It has also the signal merit of being in keeping with a democratic system, for it means *la carrière ouverte aux talents*, which is the essence of democracy, as patronage and favour due to connexion are the essence of oligarchy.

There is, however, in these days a healthy and widespread reaction against examinations, and a system based upon them must necessarily have its own characteristic defects. The example of China is a perpetual warning of the deadening effect of such a system if it is allowed to become too rigid or too inhuman; and all examinations tend to become rigid and inhuman under the pretext of being absolutely impartial, and because the weighing of a great mass of written papers must always be largely mechanical. It is obviously absurd that a man's whole life should be determined by his ability on a given day to

answer with swift and methodical exactitude a number of disconnected questions of a quite artificial kind; still more absurd that a nation should bind itself to accept for some of its most important public functions only the services of men who have successfully undergone this kind of test at the age of eighteen or twenty-two. But the worst defect of any examination system on a large scale is that it encourages the merely assimilative, unreflective, unoriginal type of mind at the expense of more honest, more searching, more critical and creative types. It penalises those who feel the difficulties of difficult themes, and puts a premium upon jaunty and self-satisfied dogmatism. The two last generations, during which the youth of England has been subjected to the examination harrow, has produced no great original genius in any field of national life. And it may be taken for granted that a set of public officials exclusively or mainly selected on such a system will present certain characteristic defects alongside of its many excellences. Of these we shall presently have more to say. In the meanwhile it is clear that whatever its drawbacks (and no human institution is without drawbacks) the system of competitive examination has indubitably provided us with some great and outstanding benefits. It has given us a bureaucracy which, both in purity and in efficiency, surpasses anything that England has ever known, and which, despite the rapid increase of its power to interfere in individual lives, neither arouses nor deserves a tithe of the com-

plaints which were directed against the public service in the days before the system existed. Whatever criticisms we may have to make, this must be remembered; and whatever suggestions we may offer for the further sharpening of this powerful weapon of public weal, we must beware lest we are led back towards any of those horrid and sordid evils from which this system has mainly enabled us to escape.

Our argument has been concerned largely with the freeing of bureaucracy from the corrupting influence of party strife, and it may have created the impression that party government is in itself a source of corruption. But this is not so. Let it be remembered that the purification of the public service has actually been achieved during the age of party government. The public service was never more unflinchingly used for the purposes of corruption than in the seventeenth century, before the alternation of parties had begun to control government, or than in the age of George III., when the Crown was striving to overthrow party government. It is true that in a party system there will be great difficulty in overthrowing evils out of which party capital is apparently to be drawn, and for that reason political parties during a century and a half went on using the public service for the purpose of building up their party interests. But the same temptation and the same difficulty are to be found in any form of popular government. Once the evil has been overcome, however, and the public service cleansed of corrupt partisan in-

fluences, the party system presents the greatest possible obstacle to the relapse of the public service into these evil conditions. For when one-half of the politicians and one-half of the nation are eagerly at watch to detect and hold up to opprobrium every offence of their opponents, it is very certain that any suspicion of jobbery will be anxiously avoided by the party in power for fear of the consequences. Party government was slow to remove an evil out of which each party in turn thought, however mistakenly, that it drew a necessary reinforcement. But neither party is likely, without strenuous opposition, to allow its rival to make use of a weapon which both have agreed to abandon. In fact, the greatest danger to the purity and efficiency of the bureaucracy would be a breakdown of the great parties into numerous and shifting groups, for then a government unable to count upon a stable majority would be always tempted to buy support by the old corrupt means. So long as government and opposition are each supported by solid phalanxes, each generally in agreement within itself, each supporting principles and policies inconsistent with those of its rivals, so long the party system is likely to act as a bulwark of the advances already made. It is when the great parties break into shifting groups, not pledged to steady support of government or to persistent opposition, and therefore capable of being tempted by the promise of gain, that corrupt bargaining will begin to appear, while at the same moment it will no longer be possible for the electorate to

fix upon a single party in power the sole responsibility for every mistake. These are, so far as can be foreseen, the circumstances that are most likely to threaten the purity of the bureaucracy. We may therefore conclude with the paradox that, while the great achievement of the nineteenth century has been the freeing of the civil service from the corrupting influence of party, it is the maintenance of a sharply-defined and rigid system of party government which affords the best prospect of the continuance of this happy state of affairs.

IV

ALONG with the great and marked merits which we have already discussed, the English bureaucratic service shares with the bureaucracies of all countries and all ages certain congenital defects; and it has given to some of these a colour of its own, due to its special environment and the modes in which its members are appointed.

The most obvious inherent defect of bureaucracy is formalism, the use of needlessly elaborate and time-devouring modes of doing business, equally in important matters to which they may be appropriate and in trifling matters where they appear merely ridiculous. From this defect, which we may call the Sin of Red-Tape, the English bureaucracy is certainly not free. The absurd multiplication of correspondence about things of no importance is a common theme of satire against the public offices. Every territorial officer has a story of this kind to tell against the War Office; every training college has such a story against the Board of Education. The chief justification of the elaborate formalism of the public offices is that it is necessary as a safeguard against the abuse of public funds and the neglect of public duties; but when that

same War Office, which was capable of writing thirty letters about an officer's cab fare, showed itself quite helpless to prevent the appalling waste and dishonesty of the South African War, this justification appeared to vanish. It is probably true that the organisation which cannot transact petty business quickly and without fuss will not be able to transact important business competently. In some degree, of course, red tape must exist; in its proper place it is a security against confusion and neglect of details, and makes it possible for routine business to be conducted by understrappers without danger. But red tape, unduly multiplied, may be the refuge of laziness or incompetence; and whenever an organisation, public or private, is swathed in it and fettered by it, the natural conclusion is that there is laziness or incompetence somewhere. It is probable that, despite the greatly increased scope of their work, our public offices are less rather than more tied up with red tape than they used to be. But though some of the offices are in this respect greater sinners than others, there is probably scarcely one of them in which business is transacted as swiftly and satisfactorily as in the offices of (say) the great railway companies. And so far as this is true, it means that there is waste of both time and money in the conduct of public affairs.

A second common defect of bureaucracy is that of magnifying the complexity and difficulty of the affairs with which the bureaucrat has to

deal, and wrapping up matters that are of intimate concern to the nation in needless obscurity. This may be called the Sin of Mystery-mongering. It is a sin to which we are all prone, but the bureaucrat more than most. Where public interests of high importance are involved, punctilious caution, exactitude of phrase, and sometimes secrecy are clearly needed; but this very fact may provide a cloak for the man who wants to magnify his power or conceal his inefficiency by a parade of mystery and a multiplication of complicated regulations or unintelligible verbiage. On the whole, our bureaucrats do not seem to be specially given to this offence, and many of them, especially in recent years, have shown a real eagerness and a real capacity to simplify instead of complicating, to let in clarity and light instead of clouding and befogging many important spheres of public activity. But it is hard to resist the belief that the chaos of our poor-law system would have been less bewildering, that the rules which, until not long ago, governed our schools would have been less baffling, if the bureaucrats of the Local Government Board and the Education Office had been pursuers of clarity, and had been wholly exempt from the sin of Mystery-mongering.

Closely related to the foregoing is a third defect of bureaucracy, its tendency to forget that it is the servant and not the master of the public. This we may call the Sin of the Jack-in-Office. It is, or was, to be seen exemplified in every post-office, nor is it wholly unknown at

Westminster. It is a natural temptation to all men who feel, on the one hand, that they are charged with highly important functions, and, on the other hand, that they cannot be hurt or punished by the often needlessly troublesome citizen who approaches them: they do not depend upon his custom, like the shopkeeper or the railway company; if he disobeys their regulations, they can often make him suffer for it. On the whole, however, our bureaucracy is singularly free from the Sin of the Jack-in-Office; perhaps because in this country nearly everybody is an elector, and can get questions asked in Parliament, or can wield a pen and get letters inserted in the newspapers. Whatever the cause, this is not a danger against which we specially need to guard.

The fourth defect of bureaucracy of which anything need be said is the most serious. It is commonly believed that the public official does not, as a rule, take his work very seriously; that the conditions of his office do not encourage him to show any great zeal or industry or enterprise in his work, but that the service as a whole is inclined to laugh at these things, to put them down as Bad Form. The official (in the popular picture of him) comes down late in the morning, takes a long interval for lunch, and goes away betimes. He is interested in anything rather than his office-work; and, in short, being sure of a comfortable billet for life, he conducts himself in a way which no business firm would tolerate for a moment. This we

may call the Sin of Gentlemanly Malingering. If it is justly charged against the public offices, it is indeed a serious indictment. But although all bureaucracies are open in some degree to this charge, it has probably never been less justly alleged than against the greater part of the English bureaucratic service to-day. The legend of the idle civil-service clerk descends, indeed, from the first part of the nineteenth century, when jobbery still filled the offices. A legend of that kind dies hard; and although a bad tradition in an office dies hard also, yet, in view of the enormous activity, the restless annexation of new functions, the perpetual and minute interferences in local affairs, which now mark the chief public offices, it is unthinkable that the Sin of Gentlemanly Malingering should have any powerful or strengthening hold upon the English bureaucracy. Once the mark of the public offices, always the natural temptation of bureaucracy, gentlemanly malingering exists probably less to-day than it has ever done. Nevertheless it exists; and it has to be guarded against.

All these defects, the Sin of Red Tape, the Sin of Mystery-mongering, the Sin of the Jack-in-Office, and the Sin of Gentlemanly Malingering, are characteristic defects of bureaucracy; and some of them have taken on a special colour in England. Since bureaucracy is now the heart of our system of government, we shall do well to examine the causes of these defects, and the special forms which they assume amongst us,

with a view to understanding how they may best be qualified or diminished. Especially we may ask whether, and if so, then why, the public offices are in some respects less efficient than commercial concerns.

To begin with, it is obvious that the motives for promptitude and economy are not as great in a public office as in a commercial concern. The expenditure of the public office is unfailingly met out of the limitless public purse; the house of commerce has to work for a profit. The public office does not exist for any single and simple purpose such as that of making money, as the house of commerce does. It exists to give effect to elaborate, minute, and often conflicting laws with which many other public bodies are concerned, and it must therefore be precise in its observance of all legal forms, and prepared to meet the many-sided criticism of a fractious and half-informed but very exacting representative body; on the other hand, the commercial concern has only one criticism to meet: has it made money, and has it prepared itself to make more money? This difference is fundamental, and makes the analogy between the public office and the commercial concern misleading. But it shows that the tendency to red tape is inherent in the very conditions of a public office, and ought therefore to be guarded against by all means possible.

Again, a public office is undoubtedly more tender to inefficiency in its staff than a commercial concern. Once a man is planted in the public

service he is notoriously secure for life, if he shows ordinary good faith: it is not necessary for him, as it is for the employee of a house of commerce, to demonstrate his usefulness every month and every day. A generation ago men would have attributed this striking difference to the fact that while the head of a great firm is working for his own personal profit, and will therefore make sure that there are no useless salary-drawers in his employ, the head of a public office is not working for his own profit, and therefore does not wage war upon inefficiency. This argument has largely lost its force since most big commercial concerns have been transformed into limited companies, under the management of officials who (like the bureaucrats) draw fixed salaries, and (like the bureaucrats) can only earn promotion by attracting the favourable notice of their superiors. But there still remains one material difference between the conditions of service in a commercial concern and the conditions of service in a public office—the civil servant has no such great money prizes open to him as are open to the man who adopts a commercial career, even as the salaried servant of a company. The State does not pay very large salaries; none of the great permanent officials earns in the public service as much as his abilities would win for him in the market. And just for that reason, if the State is to attract to its service men of the best type (as it has certainly succeeded in doing), it must offer them some compensating advantage. The compensating

advantage consists, of course, partly in the sense of power which public service gives, partly in the interest and attractiveness of the work to be done. But it consists also in permanence and security of tenure, for which (conjoined as it is with an excellent social status and the right to a pension) most men would be willing to abandon the dubious chances and risks of earning great wealth. Security of tenure in the civil service not only compensates for a comparatively modest salary, it has also much to be said in its favour from the point of view of the community as well as from that of the official. It enables a man to feel from the first that he is undertaking a serious and worthy lifework; it lets him grow into his work, and settle down to it calmly, without the feverish unrest which belongs to the kind of work that a man does not for its own sake but for what it will bring; and this is of great value in an organisation which is dealing, as most State offices must deal, not with mere affairs of money-making, but with subtle and complex questions of human action and interaction, questions which have to be dealt with primarily with a view to justice, never with a view to gain. To apply, in such circumstances, the simple and crude test of efficiency—"get on or get out"—which is generally adequate in money-making concerns, would be merely disastrous. Hence in some degree (though not perhaps to so full a degree as it now exists) security of tenure in the bureaucracy is necessary not only as a means of attracting men of the best type, but also as a means of

enabling them to do the best kind of work. But in a service most of whose members will remain for the working part of their lives, pleasant official relations come to be of the first importance. The man who would live a pleasant life will do his work quietly, not meddle with his neighbours, and take promotion in a gentlemanly way by seniority, without pushing or striving. Thus even among a group of men, most of whom are able and vigorous, the lazy and the incompetent may be left at their ease, concealing their gentlemanly malingering with swathes of red tape. Nor is this all. An office where members spend their lives together inevitably develops a powerful *esprit de corps*. This is a very natural and healthy thing. But it means that the tradition of the office will be extremely strong. Newcomers, arriving two or three at a time, will be dominated by it, and the man who ventures to defy it must be very independent and very courageous. When we remember how recently posts in these offices were filled by political jobbing, and how near are the days when a bureaucratic position was regarded as an easy provision for a youth of good family, the surprising thing is, not that some element of malingering and of superiority to work should survive in some of the offices, but that a bad tradition should so soon and so largely have been overcome. This is the more surprising because, under the examination system whereby the offices are now staffed, nearly all the higher posts are held by men who entered the service direct from the University at

a very early age; having had little or no experience of other administrative methods, they could not but become the prey of the traditional office mechanism. Able men as most of them are, neither their ability nor their training has been of such a kind as to make them effective critics and controllers of a great organisation. There is, in fact, too little variety of type among the members of a public office; too little fresh blood is introduced, except at the lower stages; too little attempt is made to submit the methods of the office to the criticism of men trained in other kinds of administrative work.

We have seen that the introduction of appointment by examination has done much to improve the civil service; but it may well be asked whether this examination system might not be still further improved, and whether it is not so rigid in its operation as to require qualification.

In theory this system is remarkably democratic; it is open to all British subjects, and might seem to ensure that the public service would be enriched by the very cream of British intellect, irrespective of class. If this promise were fulfilled, it might reasonably be claimed that the system justified democracy; for democracy is a form of government which can justify itself only by sorting out the best brains of the nation and setting them to the work for which they are fittest. Democracy will have fulfilled itself when it has worked out a device for selecting the men of most generous minds, of clearest insight and steadiest judgment and surest

knowledge of men, and, after giving them the best and largest training for their task, has entrusted to them the difficult business of government. One-half of that task consists in getting hold of the right bureaucrats, the other half in getting hold of the right representatives. The first half of the task is easier than the second, and in the existing stage of our civilisation it is probably more important.

The existing system of examination gives us many good men, far better men than the preceding system gave us, just because it throws its net more widely. But it may be doubted whether it gives us the best possible men—the best, that is, who can be obtained by any human and therefore imperfect mode of selection; and it may also be doubted whether it secures that these men come to their task equipped in the best possible way.

While it seems to be democratic, the system is really not so, or not fully so, because it is undeniably so designed as to favour the two ancient universities of Oxford and Cambridge. The chief subjects in the curriculum of these universities receive a weight in the scheme of examination which cannot seriously be justified, either by the superior discipline which they afford or by the superior training for the art of government which they give. Mathematics on the one hand, and the classics with ancient history and philosophy on the other, are the great mark-scoring subjects, far outweighing modern history, or economics, or pure philo-

sophy, or the natural sciences. The result is that Oxford and Cambridge win an overwhelming number of places in every examination, because these highly-marked subjects get special weight both in the two universities (where the bulk of the scholarships and prizes go to them) and in the schools by which Oxford and Cambridge are fed. This is often defended on the plausible ground that the subjects of "greats" at Oxford and of the Mathematical Tripos of Cambridge have demonstrably proved to be the best training for public life, a very large proportion of our most distinguished statesmen and publicists having pursued these subjects in their university courses. But this is to argue in a vicious circle. Statesmen and publicists have been trained on the classics and mathematics because they have hitherto been drawn almost wholly from the classes which chiefly frequented Oxford and Cambridge and the public schools, and because these subjects of study have been made (by every influence which academic organisation can exercise) the chief subjects of study pursued by able and ambitious youths in Oxford and Cambridge and the public schools. If our own rich literature, and our own varied and thought-compelling history, and the problems of economics, and the vast speculations of modern philosophy, had been for a century past the main subjects of study in Oxford and Cambridge, if they had been the subjects whose study opened the way to scholarships and fellowships, we should to-day be hearing that they were the only school of statesman-

ship. This argument is indeed an instance of the fallacy of *post hoc, ergo propter hoc*; but it is an argument which has worked much harm, and not in this sphere alone. It is the same argument which has left so many of our lawyers without scientific training in law. Because many able men have been taught a great deal of classics and no law at the universities, and have yet become able advocates and sometimes even learned lawyers, therefore (we argue) classical knowledge forms the best equipment for a lawyer, and scientific training in law may safely be neglected. The result is visible in the condition of our legal system. So far as the selection of administrators is concerned, the truth seems to be that history, law and economics would in most cases form the best equipment for their future task—an equipment by the lack of which their work often loses in insight and intelligence; and that these subjects form in themselves quite as good a training of the mind as any others. If this is so, it would seem to follow that if there is to be any differentiation in the marking value of various subjects, it should tell in favour of the subjects which, while of equal value with their rivals as means of mental training, will be especially useful as an equipment in the work of administration. To this it will be answered that the fundamental principle of the civil service examinations, and the chief reason for the excellent results which they have produced, has been that which was laid down by Macaulay, that the

object of the examination should be to pick out the men of greatest native ability rather than the men of premature technical knowledge. The principle is unexceptionable, except that (as ability is of many and different kinds) it ought to be slightly qualified to read "the men of greatest natural aptitude for administrative work," and on the whole this aptitude can probably be better discerned by observing how a man deals with historical or sociological problems than by testing his skill in turning Latin verses. But, the defender of the existing system will reply, the emphasis laid on the classics and mathematics is properly so laid because these subjects are better and more carefully taught in the universities than the other subjects, and are the chosen studies of the ablest men. If that is so, then they have already a great advantage and do not need the further advantage of preferential marking; at the most this argument will lead us to give equal treatment to them. But it is not wholly true. It is now only partly true even in Oxford and Cambridge; it is far from true in the Scottish universities, where there is a magnificent body of native ability to draw upon, and in the modern English universities, which are ploughing new and virgin fields of the national intellect—fields that are proving to be unsuspectedly rich. And this is the great defect of the system, that it places quite unnecessary obstacles in the way of the enlistment for the national service of much of the best brain of the nation, and that it tends

to bring into the service only men of a single type and tradition. It may seem disproportionate to argue with so much seriousness a theme so petty as the scale of marks in an examination. But if it be true that a very slight change in that scale would have the effect of greatly enlarging the field from which our bureaucracy is recruited, and of throwing open funds of ability at present allowed (so far as this purpose is concerned) to run to waste, then the subject is of real importance. As things stand, it cannot be denied that the method of selection for the civil service is designed to favour those who may be supposed to have imbibed in Oxford and Cambridge the spirit and tradition of the ruling class which has so long dominated these universities. On this ground, indeed, many would very frankly defend it; and no doubt it has not been a bad thing that the transition from class-government to genuine popular government should have been made more easy in this way. Even now, if the system were altered in the way suggested, there would be no abrupt change, for Oxford and Cambridge would, for a long time to come, maintain in natural and open competition an ascendancy which does not need to be artificially supported. But on all grounds the time has come to do away with a preferential system which, while based upon the marking value of various subjects, has ultimately a large element of class-feeling behind it. Systematic and serious intellectual training is rapidly extending from the classes which have mainly used Oxford and

Cambridge to the classes which now use the modern universities, and in proportion as it extends, the new resources of national intellect which are thus made available must be used to the full.

The encouragement which the change here advocated would give to able men at present definitely excluded from bureaucratic work, would improve the bureaucracy by introducing into it a greater variety of type, and a greater fund of personal knowledge of the conditions and background of all sorts and conditions of men. But it would not of itself materially alter the character of the bureaucracy. It would still remain true that the higher ranks of the bureaucracy were mainly filled by men who had entered the service in early youth, without any specific training for it and without any experience of any other type of administrative work; and it would still be inevitable that men so recruited should be dominated too completely by the tradition of the office, and should find it difficult or impossible to approach the work of the office not only with freshness of mind but with a criticism based upon experience. This is, indeed, one of the most serious defects of the examination system, that its test of fitness is of too purely academic a kind. Curiously enough, the one great public office which is to the slightest extent recruited by examination, is the one in which purely academic tests might seem to be most adequate—the Education Office. Inspectors of the Board are still appointed by nomination, and this mode

of appointment would certainly be defended on the ground that it was necessary that inspectors should not be mere scholars, but should also have some knowledge of educational machinery. If the argument applies in this case it applies *a fortiori* in other cases. There are evidently limits to the efficacy of the examination system. The working of the Education Office is, indeed, instructive in more ways than one. Almost all its work has come into existence since the examination system was started, and it is now one of the largest and most restlessly active of all the public departments. Favour or influence, no doubt, have something to do with a good many of the appointments to its service; but no one would dream of suggesting that its inspectorate is less efficient than the staff of other offices, or that corrupt political motives have any part in determining appointments to it. And it thus appears that we are now tolerably safe from that ancient evil, and that we need not be too greatly afraid of modifying the examination system or of introducing suitable men into the public service by other channels. There is one obvious source from which many useful men might readily be obtained. All the great local governments have by this time highly-organised and generally very competent bureaucratic services. Would it not be desirable that there should be a steady infusion into the national offices of men who have had successful experience of this kind of administrative work? Such an infusion could be easily secured by reserving a certain proportion of

places in the various offices—say one out of every three or four vacancies—for men with experience of this kind, who might be invited to apply by advertisement, and might be appointed by the permanent heads of the great departments after careful inquiry from the men under whom they have served. The administrative career is one and the same, whether in the local or the central sphere, but each branch has special problems and special administrative methods; and there could be nothing but a good result from the free interchange of men and methods among them.

In this and in other modes it does not seem impossible, while retaining all that is best in the existing system of recruitment, to enrich it and strengthen it, to save it from undue rigidity, and to minimise some at least of the native defects of a bureaucratic system. But when all has been done no series of changes in the mode of appointing bureaucrats will be of permanent avail to destroy these defects altogether. The only ultimate safeguards against them are an efficiently-organised public opinion, a constant stream of alert, intelligent and well-informed criticism, and a wise and firm use of the control over bureaucratic action which belongs to the ultimate ruling authorities in the state. Bureaucracy, which is a necessary servant of all modern governments, becomes dangerous when it is left too free from criticism, and when it controls, instead of being controlled by, the sovereign organs of the State. It has in the past learnt how to control despotism (as it does to-day in Russia) and aristocracies;

it tends to pull the wires also of democracies. It is therefore not the least important part of our theme which remains to be investigated: the theme of the relation of the Cabinet and the representative system to bureaucracy in England.

V

BUREAUCRACY has obviously become a very potent engine of government. How is this engine controlled, and how far is this control effective? It ought to be the servant of Parliament, the instrument of the elected representatives of the nation. Is it really so? We have already seen some reasons for doubting whether it is. We have especially noted a growing tendency towards the direct public criticism of the great permanent officials, as of persons immediately responsible, rather than mere agents carrying out the decisions of ministers; and this tendency logically involves the repudiation of the long-established doctrine or constitutional convention which makes the parliamentary ministers alone responsible for every action of their departments. If we have been right in holding that this doctrine or convention has been largely responsible for the purity and impartiality which have been achieved in the English public service, then the tendency to reject it is a serious one. But if the convention is no more than a convention—if it is only by a polite fiction that parliamentary ministers are held responsible—then it is not possible that the con-

vention should be much longer respected. In other words, people are beginning to suspect that the control over the great officials which is exercised by Parliament, and by the Cabinet Ministers who are the agents of Parliament, is not in all cases a real control. And if that is so, it is highly important to understand why it is so; and whether it is possible, by any feasible means, to bring this powerful engine of government once more, and fully, under the control of the elected representatives of the nation, before it becomes too big and too strong to be mastered.

One thing we may at once admit. The control exercised over the local bureaucracies by local representative bodies is far more effective than that wielded by Parliament over the great offices of state. This is almost inevitably the case. For every local official has to deal with a committee specially concerned with his department, a committee which often meets at weekly intervals throughout the greater part of the year; and some at least of the members of each of these bodies give a great deal of time to their work, and have an intimate knowledge of it. The range covered by any local administrative department is indeed sufficiently limited to make it possible for the lay member of committee to be an effective critic. The Director of Education knows that one member or other of his committee will have a personal acquaintance with almost every school which is discussed. The City Engineer knows that every member of his

committee walks the streets of the city, and will have something to say if a snowfall is not promptly dealt with. This knowledge of itself constitutes a very effective check upon the local bureaucracy. There is no similar control over the national bureaucracy, for our parliamentary system makes no provision for special committees concerned with the business of special departments of state.

Again, in the city or the county the bureaucracy comes into direct contact with every individual citizen. If the citizen's drains are not promptly attended to, the Medical Officer's department may expect a call from the citizen in person on his way to business; and if that does not serve, the citizen's ward-representative in the Town Council will probably hear of it, and will certainly attend to it, unless he can spare a vote or two when next he submits himself for re-election. Votes in municipal elections may be, and often are, affected by bureaucratic delays or insolences, and this helps to secure that the criticism of the bureaucracy by the elected representatives is alert and active. To this kind of control there is no analogy in the case of the national bureaucracy. The national bureaucracy, for the most part, comes only into indirect contact with the mass of individual citizens. And, even when its action is definitely felt and resented, this resentment seldom or never expresses itself in a vote at a parliamentary election. The major of a territorial regiment may have been highly exasperated by

the War Office; the owner of a factory may be indignant at the meddlesomeness of the Home Office Inspectors. But these annoyances are not going to affect their votes for or against Free Trade or Home Rule. It is broadly true that English voters do not employ, or think of employing, their franchise for the purpose of expressing their dissatisfaction with the conduct of the agents of government.

The explanation of this striking distinction between central and local government is obvious enough. Local representative bodies exist primarily to conduct administrative work; their business is to carry out laws which they may not transgress, and their chief concern is therefore to supervise and criticise the bureaucracy, a task in which they are stimulated by the immediate interest of their constituents. The result is, that powerful as the local bureaucrats are, it is difficult for them to neglect their work, or unduly to waste money and time in formalities. In the local sphere, therefore, our modern system of government by experts under the criticism and control of popular representatives works efficiently; the criticism and control are real, and where the result is bad it is due either to the inefficiency of the bureaucrats or to the incompetence or corruption of the representatives.

The powers of Parliament, on the other hand, are not, like those of a local authority, defined by statute; its functions are not, like those of a local authority, limited to the carrying out of existing laws. On the contrary, its supreme

function is that of making the statutes whereby the powers of all other bodies are defined, of laying down the laws which all other bodies have to carry out. And the legislative function is incomparably the highest function of Parliament not only in legal theory, but in the eyes of every elector and every member of Parliament. That is so to-day more fully than ever before. We habitually measure the value of the work of a Parliament by the quality and number of the acts which have passed. We assume that it is the principal business of Parliament to be for ever making new laws. That was not always the accepted view; it was not in the eighteenth century, when important legislation was rare, and when the control of the executive was held to be the principal duty of Parliament. But with the mass of men it has been the accepted view ever since 1832; the legislative function has dwarfed the function of executive control into insignificance. The reasons for this are many. One is that since 1832 we have been engaged upon the unending task of national reconstruction. A second is that the prospect of future change is to nearly all men a more interesting subject of discussion than the actual working of existing laws. But the main reason is that our whole representative system turns upon the unending warfare of organised political parties. In bidding against one another for public support the parties do not, as a rule, discuss administrative questions, because these are not attractive to the ordinary elector, but lay

emphasis almost exclusively on the promise of future legislation. It is, indeed, on legislative questions mainly, not on administrative questions, that party divisions necessarily hinge; no one can get very excited over the question whether the Local Government Board is issuing the right kind of instructions to Boards of Guardians, but it is easy to feel deeply on the question of the maintenance or abolition of workhouses. And therefore elections turn on legislation, not as in local governments on administration; members of Parliament are returned not primarily to see that the public offices are properly worked, but primarily to support one legislative programme or another.

Nor is it only in the constituencies that the party warfare turns upon legislative proposals, almost to the exclusion of administrative questions. In Parliament also the legislative interest is inevitably predominant. The elaborate set battle-pieces of the rival parties turn mainly on legislative proposals. When an occasional debate arises on an administrative question—on a treaty with a foreign power, or the quality of the food supplied to imprisoned suffragettes—it seldom lasts more than a day; but the debates on an education bill or a licensing bill will drag on for weeks or months, these being the subjects on which every member wants his constituents to see that he is active, because these are the subjects on which he has harangued them. The result is that there is no time left for the systematic criticism of administration. And if

there were time, there would be no effective discussion, because the members have not the requisite knowledge, and because the raising of any serious administrative question is always taken to be in the nature of a vote of censure on the responsible minister, and will therefore be undertaken, as a rule, only by the opposition, and made the subject of a regular party division.

There is, in fact, only one season in the parliamentary year when Parliament has a serious opportunity of taking into review the whole working of the executive government. This is on Supply, when the provision of money for each of the great departments of state is being made. Some useful discussion no doubt takes place on these occasions. But it may safely be said that the discussion turns usually either on very general questions or on very paltry questions. The time available is short; it is engrossed mainly by men who want to work off speeches on questions of broad public policy, very proper to be discussed, but quite distinct from the question of the efficient working of the bureaucratic machine. Usually only one or two votes out of many hundreds are discussed at all, and these are determined on strict party lines; the great mass are passed without a word because the time is needed for the discussion of party measures. There is thus no occasion on which Parliament systematically passes under review the organisation of the executive government and the multifarious activities of the bureaucrats.

Are we to conclude, then, that the working of the party system is fatal to effective control and criticism of the bureaucracy by Parliament? That would not be an altogether just conclusion, because the truth is that a miscellaneous body of 670 men could not in any case efficiently undertake the detailed criticism of an immense administrative machine. If miscellaneous discussions on the work of the public offices took place too freely in Parliament, the result must be confusion; and the rigid discipline of party renders not the least valuable of its services in keeping ignorant criticism within limits. But this seems to be driving us to a worse conclusion still; that Parliament is forbidden by its very nature to perform one of the most vital functions of government. This conclusion also is misleading. It is misleading because it fixes our attention solely upon the open discussion of administration, whereas the real work of criticism and control, so far as it is performed at all, is performed by indirect means.

To begin with, the mere alternation of parties in power, and the periodical change in the spirit and aims of national policy which this involves, form a useful stimulus to the bureaucracy. It is not an unhealthy thing that the great bureaucrats should be forced at intervals to look at the working of their machine from a new point of view, and this they are bound to do when they come to consider the projects of legislation put forward by the party successful at the polls, and to relate them to the existing system. For it

is a part of their official duty to accept the principles of such proposals, to give them precise and practicable shape, and to dovetail them with the previous body of law. When, for example, the Old Age Pensions Scheme was introduced, and when that was followed by the Labour Exchanges and by the preparation of a scheme of state insurance, it is obvious that, quite apart from the soundness or otherwise of these changes, they forced the public offices concerned to overhaul their machinery and to re-examine their methods of organisation. And the heavy and sudden strains to which the great offices are time and again exposed must needs test their weak spots, disturb the placid conservatism of routine into which all offices tend to fall, and sort out among the officials those who are most capable of meeting an emergency. This is a very indirect form of influence or criticism exercised by the working of the representative system; it is none the less real.

Again, while it is true that the party programmes seldom deal with administrative questions, yet there are certain offices in which the fundamental differences between the principles and ideals of the parties must bring about a considerable change in method and spirit whenever one party succeeds another. The political chief may be unable to take any intimate share in the work of the office; but the mere fact that he is there and must be consulted renders it necessary for the officials to consider his point of view, and this involves conscious criticism of

their own point of view. Probably the bureaucracy will get its own way five times out of six; but it will get its own way only by understanding an attitude of mind which is not quite its own; and that is a healthy process. Thus in more than one way the working of the party system exercises an indirect but stimulating effect upon the bureaucracy.

The most important point of contact between Parliament and the bureaucracy is, of course, to be found in the party leaders who appear to take command of the various offices, often without any knowledge of their business. Usually there are two such outsiders imposed upon each office, a senior and a junior. They are politicians, and have the merits and defects of their type. Their minds are in the habit of ranging rather inaccurately over wide fields. They have trained themselves to adjust their ideas to the standpoint of the ordinary man. They have been accustomed to look at the department of which they take charge from the outside, as a part of the national organisation, in relation to the other offices; and this is likely to save them in a measure from that lack of the sense of proportion which is apt to mark the man whose whole time and thought are concentrated upon a single subject. They have acquired, in greater or less degree, that gift which especially belongs to politicians, barristers and journalists—the gift of swiftly gathering enough knowledge of a subject to be able to talk about it with an appearance of mastery. In the best men this

amounts to a real genius for seizing at once upon essentials. Coming thus equipped, they may be of real service in bringing the fresh air of the outer world, and the point of view of the non-specialist, into the office. Now and again (but not very frequently) the political chief will be a man of real administrative gifts, with a power of discovering and amending the weaknesses of an organisation. In that event he will be able to do invaluable service, if he be given time enough and leisure enough. He may be able to conquer for a time the creeping paralysis of red tape; when that disease has once taken hold upon an office, only a vigorous outsider is likely to get the upper hand of it.

But when all is said it is not possible for even the ablest and most vigorous of ministers to acquire a complete mastery over the workings of his office, or to test its efficiency at every point. His tenure of office is, as a rule, too short, especially in what are regarded as the minor offices, from which a man of marked power will obtain promotion in a year or two. His attention is, almost necessarily, mainly concentrated upon the warfare of Parliament. He is further distracted by social claims, which are held to constitute a part of his duty, and by political campaigning in the country. It almost inevitably follows that in three cases out of four his control of the office becomes more or less formal, and even in the fourth the bureaucracy generally gets its own way, and is left undisturbed in its routine on all but a few points. It is natural

that the harassed and hard-pressed minister should assume the efficiency of the system until it patently shows inefficiency at some point, and he is the last person to whom it will be shown. For the purpose of exercising effective control over the bureaucracy, therefore, and of guarding against its defects, the system of parliamentary ministers, though not without its merits, is inadequate.

The only other important check upon the power of the bureaucracy is provided by the question-hour in the House of Commons. This is an essential and invaluable part of the machine of government, because it provides a vent for every kind of doubt and dissatisfaction about any corner of the enormous sphere of administration. If at any point in the whole sweep and range of governmental activity the grinding of the vast machine has inflicted hardship, injustice, or even inconvenience, the grievance may here find vent. There is no serious check upon the use of this safety-valve, because every member likes the opportunity to ask a question, and is glad to be able in this way to recommend himself to the notice of his constituents. Thus the work of the bureaucracy is subjected to a continuous fusillade of inquiry and criticism. The student of English politics who should cast his eye over the questions asked in a single parliamentary week must be, at the first glance, profoundly impressed by their variety, minuteness and searching character. At the second glance, perhaps he will begin to doubt a

little, for he will realise that the questions are extraordinarily disconnected and unsystematic; and if he should proceed to study the answers, he will doubt still more whether the question-hour forms a really adequate test of the efficiency of the system of government. Nevertheless, so far as it goes, it is undoubtedly a means, and might, if more systematically employed, be a very powerful means, of securing efficiency and keeping every branch of the public service on the alert. The chief defect of the question-hour, as it is at present used, is that the questioners most often do not know enough about the work of the offices to ask the right questions.

It is clear, then, that Parliament does in some measure control and criticise the work of the bureaucracy, by means of the presence of parliamentary chiefs in the various departments, by the indirect operation of the party system, and by the unending fire of questions. In a less, though not negligible, degree it exercises a further influence by occasional debates on special points, and by a vague and rather ill-informed discussion on Supply. But it is also clear that this parliamentary criticism is far from being close or systematic. It is rather directed against particular blunders than against the imperfections of the machinery which make the blunders possible. And it is especially ineffective in guarding against waste and pedantry. On the whole the influence of Parliament tends rather to encourage these defects than to eradicate them. Pedantry is a sure refuge against the

kind of petty and unessential criticism which mainly gets expression in questions; waste of time and money are encouraged by the extraordinary laxity and ineffectiveness of the financial supervision exercised by the House of Commons. It is, indeed, this financial laxity which is the most striking feature in the situation. It would be alarming if it were not that one branch of the bureaucracy, the treasury, forms an efficient watch-dog upon the other branches. Finance is the key of the situation. It is as clear now as ever it was in the fourteenth century or the seventeenth that effective control of the purse is effective control of the government. Parliament does not exercise effective control, and so long as it adheres to its present methods will be unable to exercise it. The checks upon malversation are admirable and wholly adequate; they are conducted by the bureaucracy itself through the audit department. The security that money shall only be spent in the way in which Parliament determines is complete. What is lacking is a means whereby Parliament shall be able to know how and why it is asked to determine that such and such moneys are to be spent in this or that department. Not until the whole expenditure of every department undergoes in Parliament a minute, detailed and intelligent criticism will it be possible to say that the bureaucracy, which is the hand of our system of government, is really under the control of Parliament, which ought to be the head.

How can this be effected? One suggestion

has been repeatedly made. It is that the method whereby the local representative bodies have made their control over the local bureaucracies a real and living thing should be introduced in Parliament also: that is, that a committee of the House of Commons should be set up for every department of state, having full access to all necessary information. The chief business of such committees would be the detailed criticism of the estimates of each department; but this function, if adequately performed, would involve a close supervision of the working of the department. When the time for votes in supply came, these committees would have their reports ready; there would be a group of men ready and able to discuss with knowledge the work of each department; and we should be saved from the grotesque absurdity now annually witnessed, whereby the few hours in which Parliament has any chance of discussing the national expenditure and the working of the national government, are devoted to long-winded debates on motions to reduce the salary of the Foreign Secretary or the First Lord as a means of airing the speaker's views on the situation in Finland or the progress of aerial navigation.

There is one serious objection to this project. It is that the proposal involves a serious invasion of the responsibility of the Cabinet as a whole, and of the individual ministers. We have long been taught to believe that the joint and several responsibility of the Cabinet for the whole business of national government, and the high degree

of confidence and freedom of action which are given by Parliament to ministers because they are the trusted leaders of the dominant party, constitute the great secrets of our success in government, since they enable firm, consistent, and coherent policy to be pursued under the control of a representative Parliament. But if individual ministers are to be subjected to the close and constant criticism of standing committees, this confidence and this freedom of action will be almost necessarily impaired; it will be difficult to avoid friction; and (more serious still) the Cabinet will find it almost impossible to maintain the correlation of the various departments of state for a common end, which is its chief duty. How can naval policy be accommodated to foreign policy, and both related to financial policy, if each of these three departments is placed under the control of a separate and independent committee necessarily imperfectly acquainted with all the aspects of their interaction?

There is a great deal of force in this criticism. But it may be questioned whether the criticism is not unduly coloured by false analogies; by a remembrance of the friction which occurs in America between committees of congress and executive departments, and by a knowledge of the fact that municipal committees actually take the place of the Cabinet ministers in national government, so far as the control of policy is concerned. Is it not possible, the outsider is inclined to ask, so to constitute the proposed

committees as to ensure that in all matters of high policy a majority in each of them shall be generally in sympathy with the policy of the minister at the head of the department with which it is concerned, and so to define their powers that they shall not interfere with questions of policy, but shall concern themselves only to see that the policy, otherwise determined, is efficiently and economically carried out? Friction takes place in America between ministers and congress committees because the American constitution has established an absolute cleavage between congress and the executive; but such a cleavage is inconsistent with the whole spirit of our system. Suppose it were laid down that the committees should generally reflect the balance of parties in the House, and that the minister or his deputy should occupy the chair of the committee, would not the likelihood of friction be materially diminished? As for the responsibility of the Cabinet as a whole for the main lines of national policy, there might be some danger if this doctrine were new and unaccepted; but surely it has become so fundamental and is so continually present in the mind of every member of Parliament that there could be little risk of its being invaded. To the outsider it appears that, however difficult in theory, it would be quite easy in practice to draw a clear distinction between questions which affected national policy and questions which only affected administrative efficiency and economy. The number of battleships to be built in any year is

a question of national policy, intimately connected with our foreign relations. But, given that this is determined, the administration of the dockyards where these battleships are built, the conditions under which contracts for them are given out, the modes in which supplies and equipment are purchased, are surely questions of quite a different order, and might very properly be reviewed by a small and workmanlike committee. The House of Commons always includes a great many men of wide business experience and great organising capacity. These men, because they cannot devote their whole time to politics, and very commonly do not possess the speech-making gift by which politicians commend themselves, do not often rise to positions in which their knowledge and gifts can be used to the profit of the nation. Here is surely a needless waste of power. The abilities of these men would be best employed in the criticism of the working of the great public offices, which would certainly profit enormously by this criticism. And it is not easy to imagine a way in which this advantage could be more fully gained than the institution of small committees which would deal primarily with the accounts of each of the departments, but would also review the whole of their routine working. Imagine a small committee of shipowners discussing in detail the admiralty estimates, or a small committee of merchants and manufacturers and representatives of labour discussing the estimates and procedure of the Board of Trade, or a small committee of men

with wide experience in local administrative work discussing the estimates and procedure of the Local Government Board. Is it not clear that, without in the least prejudicing the action of the Cabinet in regard to matters of future policy, these committees would make the executive control of Parliament once more a real thing, would give a new meaning and vitality to the parliamentary work of members of the best type, and would above all exercise an admirable and health-giving influence over the bureaucracy, saving it from many of the faults to which it is liable, and keeping it alert and efficient?

VI

It is one of the drawbacks of our strange and continually changing system of government, whose essential features are most often quite unrecognised by law, that we are prone to be hag-ridden by constitutional theories worked out by observers like Bagehot who have tried to describe the system, though these theories are always far too definite, and often do not correspond with the actual facts. It is perpetually necessary in a system like ours to brush aside the time-honoured phrases and formulae such as "Cabinet responsibility," "parliamentary executive," or "the Commons' control of the purse," and to envisage the facts afresh.

The fixed point from which we start is that the multifarious and increasing business of administration is actually conducted by a powerful and numerous bureaucracy, which is remarkably free from bias or corruption, and on the whole both zealous and intelligent, but which is liable to certain defects, inherent in all bureaucracies. The growth of the sphere of government daily tends to increase the independence of the authority wielded by this bureaucracy; and for the purpose of imposing reasonable limits upon this

independence, and of guarding against its defects, it must be subjected to an unresting and well-informed criticism, and to a firm and intelligent control.

The only means for exercising this criticism and control are presented by a representative Parliament, and by a system of Cabinet ministers acting in close co-operation, wielding a theoretically complete authority over the various departments of the bureaucracy, and ultimately dependent for their existence upon the support of a majority in Parliament. Parliament — and not only Parliament but the country at large—is sharply divided into two great parties and two smaller parties, all of which are very highly organised, very clearly defined, and therefore rather artificial. The members of these parties are pledged to agree with one another, or at least to act with one another, on all important questions, and no man who will not (within comparatively narrow limits) accept such a pledge has any chance of rendering political service to his country. Arbitrary as it appears, this rigid party division is quite fundamental to our system of Cabinet rule, and as there are no signs of the invention or development of any substitute for this system, we must regard party (though it is totally unrecognised by law) as being the basis of everything. For it is the rigidity of party which enables Parliament to control the government by ensuring that all Cabinet ministers are drawn from among the leading men of the

party or group of parties which controls a majority, and this would be impossible unless party lines were clearly enough drawn to secure that there should always be a definite and clearly recognisable majority; it is the rigidity of party which, for the same reason, gives cohesion and unity to the Cabinet, and that is our only means of securing the effective correlation of the various departments of government; and, finally, it is the rigidity of party which makes it possible for the Cabinet to follow a consecutive policy and to perform these acts of state which, frequently enough, it is impossible to justify or explain in public, because the Cabinet can generally count upon the steady loyalty of its pledged followers.

Thus artificially divided, Parliament has three functions of supreme importance to perform. It has to watch and criticise the daily conduct of government in the execution of existing laws; that is to say, it has to control (through the Cabinet) the work of the bureaucracy. It has to make new laws; that is to say, to lay down new principles to be carried out thenceforward by the bureaucracy, central or local. And it has to find by taxation the means for carrying on government, or paying for the work of the bureaucracy; that is to say, it has to determine whose property shall be confiscated, and in what proportions, to meet common needs. But one result of the constant warfare of parties is that the second and third of these functions of Parliament, and especially the

second, the function of law-making, has completely dwarfed the first, that of controlling the bureaucracy, because promises for future change are more likely to win the favour of the electors than a mere record of assiduous watchfulness in the execution of existing laws. And another result of the rigidity of the party system is that the Cabinet has insensibly annexed control not only of the executive, but also of the legislative and financial functions. This was quite inevitable, because the official leaders of the party could not but be made responsible, in the first place, for issuing the promises on which elections are fought, and, in the second place, for giving shape to these promises when elections have been won.

While, therefore, there is still some truth in the saying that Parliament controls the Cabinet, inasmuch as the Cabinet will not survive if it alienates its majority, it is still more true to say that the Cabinet controls Parliament. Everything has helped this process. The growing perfection of party organisation has helped it, by making it more and more dangerous for a member to resist or oppose his leaders. The constant warfare of parties has helped it, because when the minority is always opposing, the majority will be certain always to support. The growing volume of business referred to Parliament has helped it, by making it impossible to discuss everything, and therefore making it necessary to dispose of most of the business which the Cabinet brings forward after only the most

perfunctory discussion, or none at all. The publication of parliamentary debates has helped it, by encouraging members to talk at inordinate length, not for the purpose of persuading anybody so much as for the purpose of attracting the notice of their leaders and the admiration of their constituents. The result is that even legislation and finance, to which Parliament devotes most of its time, have fallen under the almost unqualified control of the Cabinet, while their special function of executive control goes almost wholly uncriticised. The result is that a little group of nineteen or twenty men are left with the most astonishing degree of power over every sphere of government.

But this striking accumulation of powers and functions upon the Cabinet necessarily involves that these nineteen or twenty men have far too much work to do, and therefore cannot do any of it thoroughly. They have to direct the general policy of the country, and, as they must all be in agreement, this involves an immense amount of discussion. They have to direct also (what is often quite a different matter) the general policy of the party, keep their finger on the pulse of popular feeling, watch the constituencies, and take the leading part in the whirl of platform campaigning. They have to keep their parliamentary legions in good humour, and for that purpose must be assiduous in their attendance upon dinners, receptions, and other social duties. They have to keep abreast with the movement of political thought and social

inquiry, and somehow gather the purport of important books, journals, blue-books, volumes of statistics, proceedings of commissions and conferences. They have to attend daily during the session of Parliament, ready to answer innumerable questions and to speak themselves or listen to other men's speeches for anything from five to ten hours a day. They have to draw up far-reaching proposals of legislation, and forecast as best they can all the results likely to flow from them. They have to deal with a constant stream of deputations representing every kind of interest that must not be offended. And in the midst of all this—they have to control the infinite detail of the executive work carried on by the various departments of the bureaucracy. In these circumstances it is far from surprising that most of the activities of bureaucracy go quite uncontrolled, and that the Cabinet minister is inevitably driven to fall back upon the aid of the cool, capable, competent public servants, who have nothing to distract them from really mastering their work, in dealing with legislative and financial work as well as with purely administrative work.

But while the Cabinet has been engrossing a hundredfold more work than it can possibly do, and leaving most of it to be done by the bureaucracy, what of Parliament? As things are, Parliament is chiefly remarkable as a means of engrossing and wasting the time of Cabinet ministers. There they sit, these two great assemblies, six hundred gentlemen in a chamber

at one end of a corridor, and six hundred more in another chamber at the other end of the corridor. In the eye of the law, they are the rulers of England. In theory, and to some extent in fact also, they are the picked brains of the nation, the selected ruling minds. Some of them have led armies, or controlled the complicated mechanism of ships. Some of them have negotiated on equal terms with the statesmen of other lands, or ruled whole provinces, or directed the common affairs of teeming cities, or built up or carried on colossal organisations of industry and commerce. Some of them have written fine books, and added to the knowledge or thought of the world. Some of them, in mine or factory or workshop, have felt the actual pressure of those ills which the bureaucrats from their office stools are trying to overcome, and have studied and thought and worked till their fellows sent them up to help to better the world by taking part in the Council of the Nation. And what do they all do—what gift do they make to the nation out of all their experience? They talk, talk endlessly, sometimes well, sometimes ill, sometimes merely wasting time, sometimes saying things that (so far as mere words can) bear fruit in due time. And they vote, tramping up and down the lobbies, as their official leaders bid them. And they gossip aboundingly, in corridor and smoke-room, speculating eagerly about this and that, about the meaning of such-and-such an election, about the promotion of A or B to an under-secretaryship,

and above all about the probable intentions and designs of their leaders who are their masters. But they do not materially help to make laws, because for the most part the way in which they are to speak or vote is determined for them beforehand, they are pledged either to support or to oppose government. Thus our laws get no adequate many-sided discussion; and to amend this it has become evident that side by side with our party-divided House of Commons we must set up another house which will represent more than two artificially defined views. They equally little contribute to determine the principles of our financial administration, because these also are matters of party principle. Perhaps these things are unavoidable. But there are two other very important pieces of work which are equally, and perhaps even more, neglected. Surely among these 1200 gentlemen of varied experience there might be found some who could check with skill and patience the way in which, in detail, our vast revenues are used: that is no party question. And surely among them are the men who could scrutinise the working of our administrative machine, checking waste, tracing to their sources inefficiency, pedantry, or time-devouring delays, and thus bringing under efficient control the powerful body of bureaucracy. That also is no party question.

The power, knowledge, and experience that are stored in Parliament are running to waste. If we cannot use them, we are certainly bad economists. And as muscles that are unused atrophy,

so will Parliament (except on the talking side of it) more and more atrophy, until it ceases to attract to its benches the men who want to work, and earns more and more the contempt of the nation. Moreover, if we do not find some means of lightening the preposterous load which is laid upon the Cabinet, its back must break, or it must not only neglect the greater part of its work—that it already perforce does—but come to be openly recognised as an unreality. So both Parliament and Cabinet, whose powers and relations have been the great political invention of modern England, will alike collapse. And amid their ruins, bureaucracy will still run on, a vast machine without a controlling hand, until (its native defects unchecked) it finally runs out of gear, and some new master steps in to control it.

THE SECOND-CHAMBER PROBLEM

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I

In the extraordinarily interesting political situation in which we now find ourselves, not the least interesting feature is the fact that this is one of the rare occasions on which the British electorate is faced by a question of broad political principle, from which it cannot escape, and to which it must very promptly give an answer in one sense or another. The question is, Is a Second Chamber a desirable or necessary element in our governing machine? And if it is, how ought it to be constituted? Now the English mind hates and fears questions of general principle, and consequently it is annoyed and bewildered. The Scot is not bewildered. For three centuries he has revelled in the discussion of the most abstract theological questions. For nearly three centuries every Scottish boy has been trained on a catechism whose first question is the tremendous and fundamental one, "What is man's chief end?" while the English boy (if he has been bothered with catechisms at all) has received his introduction to the problems of life by being

asked the trite and eminently "practical" question, "What is your name?" and by being taught that he ought to accept without question the order of things as he finds it, and the station of life in which he has been placed. The Welshman and the Irishman, too, share with the Frenchman a certain Celtic love of abstract and sweeping generalisation, and are not apt to be afraid of a conclusion merely because it is logical. That is why the Englishman habitually mistrusts the political judgment of Scotchmen, Welshmen and Irishmen. But it is the Englishman who is the dominant factor in our political life; and the Englishman, faced by the necessity of giving an answer to a question of principle of the highest import, feels himself at sea. We may be sure that he will give his answer on all sorts of irrelevant considerations. If he can, he will banish the big question from his mind and vote on Dreadnoughts or black bread or Chinese pork. And when he has voted, he will listen quite composedly to the assertion that he has expressed a reasoned judgment on the main question, which will get itself settled in an accidental sort of way, some time or other. If he can't avoid the main question, he will look only at its narrowest aspects, as the leaders whom he trusts are now doing for the most part. He will vote for the House of Lords because it is a great source of strength to the Conservative party, or because he admires lords, or because he is frightened of Home Rule (another abstract question) and remembers that the House of Lords rejected it.

Or he will vote for the abolition of the veto because the veto is inconvenient to the Liberal party, or because he hates lords, or because he wants land-values to be taxed. But he won't, if he can help it, face directly the Second-Chamber problem, any more than his trusted leaders, on either side of politics, are now facing it. And if he reads this essay, his conclusion will probably be that it is hopelessly "unpractical" because it is not solely concerned with questions of party tactics.

II

ALL other nations have had to give an answer to the Second-Chamber problem; they have given a great variety of answers, mostly unsatisfactory. The British nation has never faced the question, except under revolutionary conditions in 1649, and in that discussion the nation as a whole took no part, and the answer given to the question was very swiftly proved to be the wrong answer. We have lived for centuries under a Second Chamber, which we have never analysed or tested, which we have accepted (in the spirit of the Church Catechism) just because it was there. Now we find ourselves suddenly called upon to deal with the broad principle, and we lack both the data and the point of view necessary for a satisfactory solution.

In order to realise the character of the problem which faces us, and its inevitability, it is desirable to sketch, in however summary a fashion, the course of events which have produced this crisis. In doing so it will be well to survey briefly the working of our present Second Chamber in the past. This is the more necessary because, everywhere and at all times, but in England beyond other countries, political

problems cannot be solved or even understood without regard to the past.

The modern history of the House of Lords falls into three clearly marked periods. The first covers the century and a half from 1688 to 1832, when England was essentially ruled by an oligarchy of great landowners, and the working doctrine of our constitution was, broadly, that those who owned the land should rule the land. In this period the House of Lords was very active and powerful; but it was content to leave the main business of government to the House of Commons, partly because nearly all the great offices of state were always filled by peers, partly because peers nominated a large proportion of the members of the Lower House, and partly because the lesser country gentry, who mainly filled the benches of the Commons, could not be excluded from an effective share of power, while the lawyers (mostly "younger sons") who also found a place there, supplied the practical administrative capacity necessary for carrying on the routine of government. But in the age of landowning oligarchy, the house of the great landlords was obviously a fundamental element.

The second period extends from 1832 to 1886. It is the age of political reconstruction, and of the gradual establishment of complete legal democracy. Broadly this period may be described as a long struggle between the landowning aristocracy on the one hand, and the new plutocracy of manufacture, commerce and

finance created by the industrial revolution. In the background throughout were ominous rumblings of popular demands and popular discontents, expressing themselves through Chartism, Trade Unionism, Hyde Park meetings and so forth. Each of the two great combatants endeavoured to enlist that loud and raucous voice upon its side; each made concessions to it, often given in perfect good faith; and in the end Demos was given legal power, which he left in the hands of his masters. Generally speaking, the political feature of this age was the destruction of special privileges of caste and sect; and its dominant political doctrine may be said to have been "a free field and no favour, and devil take the hindmost."

Now it may seem a strange thing that the old Second Chamber should have survived without change through this period of political reconstruction and demolition of class privileges; and the fact is indeed an astonishing evidence of that unwillingness of the Englishman to face general principles of which we have already spoken. It was due to several causes. The first was that the attacking force of the new plutocracy was led by a group of the greatest landowning magnates, the Whigs; who, never doctrinaire in their Liberalism, and proud of their order (for they were always the most exclusive of aristocrats), were, on the one hand, loth to overthrow the House that had once been their stronghold, and were, on the other hand, able to make the political reconstruction easier for

their fellow-peers to accept. After all, the Tory peer might feel, the country could not go to the dogs entirely while Cavendishes and Russells held the helm, while ministries continued to be stocked with peers of the realm, and while the new plutocracy (from whom he had to accept defeat) were tactfully kept in the background; it was not until the last years of the period that alarming figures like Bright and Chamberlain found their way to power. The second cause of the survival of the House of Lords was that the majority in that House accepted the guidance of leaders who recognised when defeat must be admitted. Encouraged by their confidence in the class-feeling of the Whig leaders, they avoided the risks of resistance on important questions, and swallowed reform after reform, adopting gradually the doctrine that the Will of the People must not be resisted. They even came to pride themselves upon their skill in interpreting this supreme will; that is to say, their skill in distinguishing between the obnoxious proposals which they could not safely resist and those which they could. Thus it came about that in this period there was no real Second Chamber at all; no check or effective criticism on the measures of one party, and only vexatious, timid and partisan delays on the measures of the other. The Second Chamber seemed to be so weak as to be scarcely worth abolishing, and most men thought it was doomed to be merely one of those picturesque and useless forms with which the British system abounds. A third

cause of its undisturbed survival was to be found in the fact that the industrial and commercial plutocrats who formed the strength of the Liberal party had their full share of the characteristic British virtue of snobbery, and longed to become members of the class which they had for two generations been attacking. The prospect of peerages not only kept them loyal, but enticed out of their pockets the heavy subscriptions necessary for the dirty business of modern electioneering. So, seemingly harmless and decadent, and enormously swollen in numbers, the House of Lords passed out of the second, and most trying, period of its modern history.

In 1885 democracy was legally enthroned in England, though as yet with very incomplete authority. And now it appeared likely for a moment that the problem of the Second Chamber would be definitely placed before the new sovereign people. The question was raised, indeed, by the action of the Lords in resisting the Reform Bill of 1884; in the midst of this conflict the demand was for the first time made by a Liberal publicist of importance that the House of Lords should be "mended or ended." But the Lords remembered their weakness, and gave way in time, and the problem of the reconstruction of that House still found no place in the official programme of Liberalism. Nevertheless, a horrible and blatant demagogue (as he appeared to Conservatives), one Joseph Chamberlain, spurning the timidity of his

colleagues, set to work to arouse the country against the House of Lords, and in a "tearing campaign" denounced those who "toil not, neither do they spin," and preached the doctrine of ransom. The People listened with interest, rather to the picturesque language of the orator than to his ideas, which were too sweeping to commend themselves to the "practical" sense of Englishmen. But the outburst was brief and soon forgotten, and within ten years its leader had become the ally and the idol of the very class which he had so fiercely attacked. The main result, indeed, of this campaign of ineffective denunciation was to alarm the plutocratic element of Liberalism, recently ennobled or hoping soon to be so, and to lessen the cleavage between them and the old landowning aristocracy. This cleavage had, indeed, been steadily diminishing during the later part of the previous period, like the ancient cleavage between the patricians and the rich plebeians of Rome. For the men enriched by trade had bought themselves country houses and sent their sons to Eton and Oxford and the army—thus becoming blue-blooded in the second generation; while the landowning aristocrats had accepted from these upstart rivals a new standard of luxury, to maintain which (agriculture being no longer profitable and few being so lucky as to be able to take toll of the industry of growing towns) they had begun to dabble in stocks, to become guinea-pig directors, even to open shops. The way was thus open for a closing up of the ranks of the

wealthy, of the controlling classes for whom the rest of the nation labours. In the eighties it was only a party tradition, now rather meaningless, which still held them apart. The threat of a strident democracy was already weakening this slender barrier. Only an occasion was needed to break it down finally, and the occasion came with the Home Rule Bill of 1886.

The Home Rule split was an event of the first importance in the social and political history of England, not so much because of the importance of the immediate question at issue, great though that was, as because it brought about a new state of things in England—an almost complete class-division following the lines of political division. Though the Liberals had always been in a minority in the most wealthy and influential circles of English society, yet so long as the great Whig houses remained faithful, Liberalism had always been a respectable creed. From 1886 onwards it ceased to be respectable; and in a society so much governed by fashion and convention as ours, that meant much. Henceforth almost all the wealth, the influence, the social prestige of England were ranged on one side; and in almost any great house the professed Liberal found himself lonely, and forced to adopt an apologetic tone, or to be tactfully silent. The absence of any effective difference of opinion among the socially important classes involved the absence of real discussion, of mutual understanding between men of different views; and this is the basis of that habit of compromise

which has so deeply coloured English politics. Among the intellectual and professional classes there was no such one-sided division; rather, if we may judge by the literature of the period, the preponderance among men of creative and critical intelligence has been on the Liberal side, except, perhaps, in the first years of depression which followed 1886. Hence came, on the Liberal side also, a tendency to more sweeping and extreme views, and this in part explains the startling rapidity with which Liberalism as a whole has during the last ten years adopted a new conception of the State and its functions, and has set before itself ideals which would have horrified the Liberals of thirty years ago.

The Home Rule controversy also marked the beginning of a new period in the history of the House of Lords. Since 1886 it has been the citadel of the united wealthy classes, and its power has consequently been vastly greater than in the previous period. This change in its position was not, however, made very patent to the nation at large, because during almost the whole of two decades the Conservative party was in power, with just such an infusion of new blood as reconciled the recent converts; and though some of the legislation of the period was coloured by the ideas of these *quondam* Liberals, yet party loyalty forbade its rejection, and the House of Lords remained quiescent. But the experience of the brief and embarrassed Liberal ministry of 1892-1895 should have been enough to show what a change had taken place. With a

boldness never displayed from 1832 to 1886, the House of Lords threw out all the principal measures of this ministry. It is true that the Ministry had a majority of only forty; but in the previous period the House of Lords had given way before ministries supported by far smaller majorities. It gave way then because it knew it was weak; it acted boldly now because it was exultantly aware that it had the upper hand. For now all the force of wealth and influence, the greater part of the administrative class, the army and the navy, were enlisted under the same banner, and looked to the House of Lords as its champion. There was almost no division among the ascendant classes, the owners of the lands and mines and mills and railways and ships whereby the people lived. The sedentary black-coated classes, always timid and conventional, had fully accepted the doctrine that Conservatism was the only genteel political faith. Demos himself, though now legally enthroned, was obedient or indifferent, or even enthusiastic in his support; it appeared to be true that he preferred to be ruled by Gentlemen. Liberalism survived only among the acrid Nonconformists, the miners and weavers of the North, and the peoples of the Celtic fringe, whose loyalty to their political faith seemed the product of mere conservatism. Thus, under the forms of Democracy, the ascendancy of an aristocracy of wealth seemed to be established. Nor did the new ascendancy use its power ill. Inspired in part by the ideas of its radical recruits, but also and

mainly by the sentiment of humanitarianism, whose growth in these years was rapid, it offered to the nation in exchange for the Liberal programme of political change a series of useful and practicable social changes, such as seemed to be possible without changing the character of English society, or weakening the pillars on which the power of the ascendant classes rested: free education, compensation for injured workmen, more efficient local government, state-aided instruction in the technique of trades, even the promise of a scheme of old-age pensions—these were boons, given or promised, which seemed to show that Demos was well-advised to leave power in the hands of his masters. Demos was not ungrateful. But he was especially entranced and roused to enthusiasm by a splendid vision, disclosed to him during these years for the first time in its fulness, the vision of empire. He saw himself now a citizen of a ruling race, triumphant over its rivals, and surrounded by loyal and devoted daughter-nations. The union of the ascendant classes, in short, brought about the triumph of the ideal of Imperialism or national ascendancy. It was not, of course, a new ideal; but it had been somewhat in the background during the period of political reconstruction, and it now emerged in a new form, and carried captive the imagination of the whole nation. This was an age of great pageants, at jubilees, state funerals and coronations; an age of exultation in a far-flung dominion and invincible fleets and armies; an age of "splendid

isolation" among the nations. Its statesman was Joseph Chamberlain, its poet Rudyard Kipling.

Meanwhile the unhappy Liberal party, so long triumphant, was not only weak in numbers and deeply divided, but bankrupt of ideas and uncertain of its aims. Its old programme of political reconstruction and the demolition of privilege had been almost completed, and this was the result of it; Liberals became half-hearted about purely political change, and almost forgot their old vendetta against the House of Lords. The "free field and no favour" had produced only these tinselly splendours, as they appeared to the angry eyes of Liberals; Demos was an ungrateful wretch, apparently justly judged by the statesman who said he would rather have circuses than self-government. In the nineties Liberalism seemed to be dead; you have only to read the early novels of Mrs. Humphry Ward to be reminded what kind of extinction was prophesied for that once triumphant party. But all the while a new formula of Liberalism was shaping itself. There began to be visitings of compunction about that old doctrine of "devil take the hindmost"; for the "hindmost" were seen to be terribly numerous, an unduly large tribute for a great nation to pay to the devil. The proposals of the triumphant plutocracy were palliatives rather than preventives; the traditional doctrines of Liberalism seemed to provide no effective safeguards or barriers against "the devil." Consequently sundry independent movements, seemingly hostile to Liberalism but

destined to permeate and transform it, began to exercise a wider influence. In particular, stimulated from many sides, but perhaps especially by the preaching of the Fabians, a new conception of the function of the state, an enlarged idea of the possibility of remedying social ills by a bold use of social power and credit, began to take possession of the minds of reformers, driving out almost everywhere the old ideas of *laissez-faire*. In a sense this was socialism, though it was very different from the dogmatic and doctrinaire socialism of the Continent. Along this line of development Liberal thought increasingly moved, and it was forced into more rapid growth when the organisation of the Labour party threatened to detach from the Liberals the allegiance of the industrial districts. The more this tendency developed among Liberals, the more inevitable it became that there should sooner or later be violent conflict, of a more fundamental kind than had ever been seen before, with the party which stood for control by wealth, and with the House which had become the stronghold of united wealth. And still more inevitable did this become when the Conservative party also began to adopt new economic doctrines, to advocate an imitation of the fiscal methods of other countries, and in so doing to alienate from itself some elements among the industrial capitalists.

But down to 1903 all this ferment of new ideas went on very humbly and obscurely, and made no impression upon the serene ascendancy

of the House of Lords and the classes it represented and the causes it upheld. The great test of the rule of the wealthy and influential classes came with the South African War. It was to have been the triumph of the Imperial cause, but the humiliations which attended it, the incompetence and corruption which it displayed, the colossal waste of life and money, the vulgarity of its Maffickings, sobered the nation and discredited the rule of the ascendant classes; and in the spate of 1906 democracy seemed at last to be awakened and the ascendancy seemed to be swept away.

The election of 1906 was, however, far from representing the true division of the country. The supporters of the wealthy and influential classes were far more numerous than the figures of the election seemed to show; but they had been disheartened by the recent record of their leaders and were bewildered and divided on the fiscal question; in large numbers they abstained from voting, or did not take the trouble of travelling to record their plural votes. The controlling classes are far too strong to be so easily overwhelmed, except when they are discouraged, divided, or taken by surprise, and they were all these things in 1906. The mere weight of their wealth is always enormous; their influence, direct or indirect, honestly or corruptly exercised over their dependents, is immensely powerful; they own nearly the whole of the newspaper press of the country, and can hire the cleverest penmen to instil their point of view unceasingly

into the popular mind; their organisation is superb, because costly; and they have always on their side the all-pervading influence of snobbery. For a while they were shocked and alarmed, both by the dimensions of the hostile majority in the House of Commons, and still more by the strange portent of a Labour party fifty strong. But they soon recovered from these tremors; and now it was that the new strength and confidence of the House of Lords, the impregnable citadel of wealth and privilege, most fully displayed itself. When the triumphant majority in the Commons set to work to undo some recent achievements of Conservatism in the realms of Education and Licensing, their proposals were boldly torn up, with the daring assertion that they did not represent the Will of the People, of which the House of Lords superbly claimed to be the sole inspired interpreter. When the majority in the Commons, instead of taking up the gage thus flung down, went on, in the spirit of its new ideas, to develop schemes for using the power of the State to safeguard the "hindmost" against "the devil," the Lords at first walked gingerly, though far more boldly than of old. They passed the Old Age Pensions Act, because that was not a good fighting issue; but their spokesmen in the Press, and their innumerable peripatetic preachers meanwhile prepared the way for the great stroke by trying to frighten Demos into obedience with socialist bogeys, and appeals to the sentiment of national ascendancy through naval scares and otherwise,

and above all by an incessant clamour that the real devil against whom the "hindmost" needed to be protected was the wicked foreigner who sold him cheap goods. This, indeed, had become the great cry, and it was a cry entirely appropriate to the party of class ascendancy and of national ascendancy, because it promised a means whereby the control of the wealthy over the means of livelihood of the nation should be made more absolute than ever, as absolute as in the old days of the landowning oligarchy. It was, in fact, the long-dead cry of the landowning oligarchy revived in a new form, the cry of oligarchies everywhere, dressed up in plausibilities to catch the ear of Demos. That the plutocracy, whose greatest victory over the landowning oligarchy had been on this very issue in 1846, should now have largely adopted it shows how completely the interests of the various elements in the party of ascendancy had been merged in one. At length the battle-royal came, and it came on the Budget of 1909, in which the Liberal majority of the Commons for the first time boldly and definitely threatened the very bases of the power of the ascendant classes by offering to attack the great monopolies, and above all that of land. And now the Lords made their final and crowning demonstration of insolent mastery. Breaking through what in the eyes of Liberals were the most fundamental usages of the Constitution, and boldly invading what even Conservative statesmen had been accustomed to describe as the inalienable privilege of the repre-

sentative house, they rejected the whole provision for the year's needs, and forced a dissolution of Parliament. They thus assumed a power which no student of the British system of government had ever for a moment supposed to belong to them.

This was indeed a revolution; and no amount of reference to partial precedents, no arguments drawn from the indecisiveness of British constitutional law, can disguise the fact that in rejecting the Budget the House of Lords took a course wholly inconsistent with the main principles of British government during the last three centuries, and subversive of the relations between the two Houses as tradition has established them. Once subverted this constitutional understanding can never be restored on the old footing. It was a revolution only capable of being justified by the belief that the proposals embodied in the Budget, and the principles implied in these proposals, were of so novel and far-reaching a character as in themselves to constitute a revolution demanding a revolutionary reply. And here, again, no arguments as to the technical meaning of the understanding about "tacking," and no ingenious demonstration that every proposal of the Budget had been admitted in principle long before the Budget was proposed, are really relevant. It is much better to recognise that the Budget, taken in conjunction with the rest of the programme of legislation which depended upon it, did really represent the adoption by one political party of principles new

to English politics. It implied the conscious adoption of the theory that it is the right and duty of the State to use the resources of the community as a whole in order to build up a new basis of life for the less fortunate classes of society; and that in itself is a far-reaching principle never hitherto formally accepted. It implied further the adoption of the principle that the distribution of these new burdens should be determined not merely in proportion to the wealth of various classes of the community, but that the class which owns the means of production and draws from that ownership a heavy toll, should especially be made to pay for the rectifying of abuses due to the unsatisfactory working of the productive mechanism. These are undeniably principles new to our political life, though by no means new in theory. They constitute a more direct attack upon the sources of the control of the wealthy classes over the rest of the nation than had ever hitherto been made. They constitute a nearer approach to a definite promulgation of a new political doctrine than our politics, chary as we are of principles, have commonly accepted.

In a word, the principles implicit in the Budget of 1909 constituted a declaration of war upon the ascendancy of the wealthy classes. The reply to it was a declaration of war upon the powers of the House of Commons. If the claims involved in the action of the Lords on the Budget had been admitted, the result must have been to make the House of Lords, and through

it the oligarchy of wealth, the effective controlling power in the State. Not only that, but it must have overturned the very basis of our working system by making party government impossible; for party government ceases to exist if one party is able, as Mr. Balfour put it, whether in power or in opposition, to control the destinies of the Empire. In effect, that was what this action involved. The party which was identified with the wealthy and controlling classes would be placed in permanent mastery of the State, exercising this mastery directly and through the House of Commons whenever it obtained a victory at the polls, exercising it indirectly and negatively through the House of Lords whenever it was defeated at the polls; and reserving the power to expel its opponents from office by the rejection of a budget whenever the calculations of astute electioneers showed that the moment was ripe.

Thus the last election turned on the most tremendous issues. On the one hand, the electorate was asked, by approving the action of the House of Lords, to establish the ascendancy of the controlling classes on an almost impregnable basis, while it was at the same time invited to endorse a fiscal policy which (whatever its other characteristics) would certainly have the effect of giving to the wealthy and controlling classes a still more powerful command over the livelihood of the people and over political machinery, as the same policy has already done in America and Germany. On the other hand, the electorate was

asked to repudiate the action of the Lords and to give its support to an economic policy which openly aimed at weakening the hold of the wealthy classes on the social and political life of the nation. But the question of the House of Lords was inevitably the centre of the battle. For, whatever the issue, a definite readjustment of the relations of the two chambers must necessarily result.

And now we began to realise the consequences of our British habit of being "practical" and shirking the consideration of questions of principle. For we were plunged into the turmoil of the election of 1910 without ever having been asked to look straight at the fundamental problem of the Second Chamber, though it was on this question beyond all others that the whole issue turned. Should a Second Chamber be so constituted as to become (what it now is) the impregnable stronghold of the wealthy classes, or should it be constituted in some quite different way, or abolished altogether? That, surely, was the one supreme question. Yet the leaders of Liberalism set before us no clear and maturely considered treatment of the problem; they offered us only a device for alleviating the inconvenience of the present situation to the Liberal party—a device of such a character that it could be quite fairly urged that the question of the desirability of a Second Chamber was left undetermined. On this half-formulated issue, partially obscured by innumerable other issues, and especially by clamorous irrelevant appeals

to the sentiment of national ascendancy, the tremendous struggle of the last election was fought. Unlike the election of 1906, it saw the whole power of the ascendant classes brought into play with a fulness never before displayed; money poured out like water; a babel of clamorous and often dishonest spouters on both sides; hoardings shouting aloud with lavish posters; influence, snobbery, intimidation worked to the utmost. It was in these circumstances that the nation took counsel on the broad question of principle, on the problem of the Second Chamber. It is to this that we come with our "practical" avoidance of broad principles. And when the dust cleared away we saw a nation extraordinarily divided; a large majority against the Ascendancy and its instrument, the House of Lords, but that majority divided and disunited when it came to deal with the broad principle which it had so consistently shirked; a deadlock in the affairs of the nation, which found itself forced to resort to borrowing in order to meet its current expenses; government helplessly disorganised; and a new turmoil of electioneering inevitable in the immediate future. And even yet we have not begun seriously to consider the question at the root of it all, the problem of the Second Chamber.

III

AMID the confusion of discrepant counsels as to the end to be aimed at, there comes from one group, the Labour party, a clear and confident lead. The Labour men do not believe a Second Chamber either necessary or useful; and they have made it plain that they support the proposals of government only because they regard these proposals as a step in the direction of the annihilation of the House of Lords. Some Liberals support them in this view, which has at least the merit of facing squarely the primary problem, Is a Second Chamber necessary at all? The view taken by the Labour men is certainly supported by the political experience of England during the last century. During about half the years of that period, when Tory ministries were in power, we have been for all practical purposes without a Second Chamber; during the other half of these years the second chamber has been active, but the cases have been few in which its activity can be shown to have been of much value; the measures which it resisted having in most cases ultimately become law. But this does not necessarily prove anything except that we have had the wrong kind of second chamber;

it is still possible to argue that if we had possessed a really efficient body, exercising impartially the function of criticism, England would be a better country to-day.

The ordinary answer to the single-chamber men is that it is necessary to guard against rash and ill-considered legislation on subjects on which the nation has not made up its mind; necessary also to secure a means of appeal from Demos drunk to Demos sober. There is a good deal of force in this contention, which is a platitude of the political text-books. But recently the contention has been put in a much bolder and more startling way. Mr. Balfour, Lord Curzon and others have boldly asserted that the House of Commons is not really representative of the nation. They go on to add, openly or by implication, the qualification "except when it shows a Conservative majority," and the still more paradoxical claim that the House of Lords is much more really representative of what they call "the permanent will of the nation" than the Lower House, but I do not think any one takes these flowers of speech very seriously. The assertion that the House of Commons is unrepresentative, however, deserves closer examination, for it is supported by a widespread feeling of dissatisfaction with the way in which that chamber works. Liberal politicians have, of course, treated the assertion with derision, as a mere insult to the representative house, a mere attempt to belittle popular government. It deserves more serious treatment. It is not a

sufficient answer to say that the House of Commons is the only element in the constitution over which the people have any control; for if it can be shown that even so their opinions and desires do not get an adequate expression through this House, then the need of some machinery for securing that these opinions and desires are not over-ridden must be manifest to the strongest democrat. If the House of Commons is not really representative, then the need for a Second Chamber must be felt in proportion to the strength of one's belief in democracy.

Now there are certain respects in which even the Liberal politician admits that the House of Commons is unrepresentative. In some cases, few as yet, but likely to become more numerous, the representative of a constituency has actually received a minority of the votes cast; this is apt to happen wherever there is a three-cornered contest. A ridiculous system of registration excludes hundreds of thousands of electors from the franchise, and in many constituencies the number of electors disfranchised in this way is sufficient to alter the result of the election. The grossly unequal distribution of seats gives to a vote in Kilkenny as much weight as twenty votes in the Romford division of Essex. The system of giving extra votes for property qualifications materially affects the result of many elections, especially in constituencies just outside of big towns; in the last election the number of property voters was greater than the majority obtained by the successful candidate in no less

than 78 county constituencies. This system is, of course, in the abstract, capable of a logical defence; but even the strongest advocate of making voting strength vary with property cannot defend a system whereby a grocer who has five shops in five little towns can cast five votes, while a grocer who has ten shops in one big town can only cast one vote. In any case, the man who believes that the franchise should be an incident of citizenship, not of property, is justified in believing that a House of Commons elected on this basis is not truly representative. Again, the practice whereby the candidate must himself bear the heavy burden of his election expenses, practically confines membership of the House of Commons to the well-to-do, and certainly excludes many men who would admirably represent the opinion of the electors and do good service to the State. Some such men are enabled to stand by the aid of the party funds, but in accepting such aid they necessarily sacrifice their own independence quite as much as did the members for pocket boroughs in the old days of oligarchy.

These are all defects in our electoral system which impair the representative character of the House of Commons. But they are not fundamental, and they will probably be removed in course of time. There are much graver objections of another order, inherent in the very character of the House of Commons, and incapable of being removed without a sweeping recast of our whole political system.

In the first place, under our system of single-member constituencies, very few members represent the opinions of more than sixty per cent of their constituents. This, no doubt, is largely rectified on the average, but it is only rectified by accident. It remains true that over whole areas a large proportion of the electorate is unrepresented. There are many thousands of Conservatives in Scotland and many thousands of Liberals in the English rural districts; but Scottish Conservatism and rural Liberalism are almost unrepresented in the House of Commons. It is notorious that the size of the majority which the party victorious at the polls has in the House of Commons seldom or never corresponds to the majority of votes cast throughout the constituencies. It is even possible that a party might have a large majority in the House of Commons and yet be in a minority in the country. All that is necessary to produce this result is that the victorious party should have won most of its seats by small majorities and the defeated party won its seats by large majorities. Is it surprising that the intelligent observer of politics in England, realising these facts, should feel that there is a great deal of truth in Mr. Balfour's contention that the House of Commons is unrepresentative? And when he reflects that a party returned to power in this way may, in the absence of an effective Second Chamber, introduce and impose upon the country measures which have never been considered by the electorate, must not even the stoutest democrat be con-

vinced that a Second Chamber is a necessary appendage to a House of Commons elected by single-member constituencies? We have had recent examples of such action; for the Education and Licensing Acts of 1902 and 1904 were passed by a House of Commons which had certainly lost the confidence of the country, and in the absence of an effective Second Chamber (or rather owing to the existence of a purely partisan Second Chamber) these measures still bind the country.

The only basis on which the truly representative character of the House of Commons can be upheld is the contention that 670 men, elected by large bodies of their fellow-countrymen, will, taken as a body, fairly reflect the opinion of the country as a whole. This is the true principle of representation, but it demands that the members so elected should be entirely free to exercise their individual judgments on each question as it arises. We know that they are not thus free, that they become less free every year as the bonds of party discipline become more strict and the crack of the party whip more imperative. We know that every member now goes to Westminster pledged beforehand to support the party leaders on all important matters and to suppress all minor personal differences of view; it is on this understanding that he is selected as a candidate, and he is perfectly aware that his seat will be in grave danger if he overpasses the very narrow limits set to his individual freedom of judgment. It is this increasing rigidity of party discipline which more than anything else has

impaired the representative character of the House of Commons. For whereas there are a hundred shades of opinion and combinations of opinions in the country, there are for all practical purposes only four sets of opinions represented in the House of Commons, and these are clear-cut and definite to a degree which is not to be found in the country at large, except among the professional politicians and the enthusiastic party men who have given over their political consciences into the hands of the party leaders.

It is true, of course, that party divisions are very deep and very permanent among Britons, and that the Englishman hesitates long before he votes against his party. This fixity of party loyalty seems, indeed, to be becoming stronger instead of weaker, despite the occasional rifts that break parties in twain; such, at any rate, is the comment of that acute and impartial observer of English institutions, President Lawrence Lowell of Harvard. It is not altogether a healthy feature of our political life, because it means that our citizens are more and more absolving themselves from the plain duty of thinking out political questions for themselves, and are content to take their opinions ready-made from their party-leaders. The ease and rapidity with which the majority of Liberals changed their opinions on Home Rule at the bidding of Mr. Gladstone was alarming enough, but not more remarkable than the swiftness with which the Conservative party has been converted to Tariff Reform. In America this unthinking party

allegiance has gone even further than in England; and it has there been the chief means of encouraging the up-growth of a monstrous system of political corruption. It is bad enough for a nation to be priest-ridden; it is worse to be politician-ridden. And this is a danger from which we can scarcely hope that the politicians will be anxious to save us.

But although party loyalty is strong in England, it is still not true that there are only four sets of opinions on politics in this country, and that they are so sharply divided that every elector can be finally and satisfactorily labelled with one of these labels. And if that is so, then a House which can be so labelled is not truly representative of the country. There are many thousands of free-trade Unionists throughout the country; apart from the accident of Lord Hugh Cecil's election for Oxford University they would be unrepresented in the House of Commons. There are many thousands of Tariff Reformers who are ardent temperance men and would like to vote for the Asquith Licensing Bill, or who believe in the taxation of land values and mining royalties and would have liked to vote for the Budget of 1909. They cannot do so without voting against Tariff Reform. There are many thousands of men who would be ardent supporters of the social programme of the present government, but detest its attitude on religious education, or dread the concession of Home Rule to Ireland, or believe that the Radicals do not pay sufficient attention to the navy. What are

men of such unclassified opinions to do? Their attitude is not represented by any party. However they may vote, they must vote against something in which they strongly believe. Very often their vote will be determined by almost accidental considerations. However the election may go, they cannot feel that their opinions are fairly represented by the House of Commons. And the unhappy thing is that the people thus left unrepresented constitute just the most valuable element in the electorate, because they are the men who think for themselves. It is for their sakes above all, and in order to increase their numbers, and their belief that it is worth while to form an independent judgment, that we need an effective Second Chamber.

The truth is that, as our political system has developed, the elector does not, in effect, vote for a representative; he votes for a party and its whole programme. He votes to entrust the government of the country for a period of years to this or that group of men, or to maintain a standing criticism of whatever government is in power from the point of view of another organised group. He cannot be said to endorse in detail the proposals of any of the organised groups who submit themselves for his approval; he only expresses a preference, on a balance, for one over the rest. The main function of the House of Commons has ceased, under the party system, to be the free initiation and discussion of legislative or financial proposals; it has come to be, on the one hand, the maintenance of a government in

power by the support of a steady majority sufficient to give stability to its action, and, on the other hand, the maintenance of a steady fire of criticism, friendly or hostile, as the case may be, on the acts and proposals of the executive. These are very important functions; but they are quite different from the function of representing all the various shades of opinion in the country, which do not correspond to the sharp lines of cleavage between parties.

Now it would not be impossible, it would not even be difficult, to turn the House of Commons into a fully representative body. This could be quite readily achieved by the ingenious device known as the Single Transferable Vote, or Proportional Representation. Under this system the country would be divided into large constituencies, with five, ten, or even more members. Each elector would have only one vote, which he would give to that one of all the candidates whom he preferred, by marking the figure 1 opposite his name on the ballot paper; and he could further indicate the order of his preference among the remaining candidates by numbering them 2, 3, and so on. If his first choice received more votes than the quota necessary for his election, the vote would be credited to his second choice; and so also if his first choice received so few votes as to stand no chance of being elected. The advantages of the system are obvious. In the first place, no vote cast would be wasted; every elector would feel that one of the elected candidates owed his election in part to his choice.

In the second place, the members returned would much more closely represent the variations of opinion in the country than is possible under the present system; and men who were not absolutely party men would not be excluded from Parliament. In the third place, the members would be far more independent of the party whip than they now are; because they would know that the particular group of opinions which they advocated had a solid body of support, and that the mere fiat of the party caucus would not be strong enough to turn them out. The working of the system may perhaps best be illustrated by a specific example. The city of Liverpool has nine members, of whom, in the present Parliament (1910), seven are Conservatives, one is a Liberal, and one a Nationalist, all of course pledged to the whole of their respective party programmes. The Conservatives had a total majority, in the nine constituencies, of not much more than 3000 votes over all parties combined, so that they are considerably over-represented. Under the system of proportional representation it is probable that five Conservatives, two Liberals, a Labour man, and a Nationalist would be returned. But it is also almost certain that at least one of the Conservatives would have been a Free Trader; another might have been a supporter of the Budget as well as of Tariff Reform; a third a Licensing-reform man; one of the Liberals might have been a moderate and an Imperialist, the other a left-wing Radical. It is obvious that such a group of representatives would much more

fully have represented the various shades of political opinion in such a city as Liverpool than any group likely to be elected under the present system. It may be said that such a system would be complicated and difficult to work; but that is not so. It is actually worked in several places; and it is instructive to note that Germany (by whose example, whether by way of imitation or opposition, all our politics seem nowadays to be guided) proposes to adopt the system in the new legislature which is to be set up in Alsace-Lorraine.

The system is practical; it would to a certainty render the House of Commons far more effectually representative of the nation than it is to-day. And yet nothing is more certain than that it will not be adopted for this purpose. If it were adopted, the immediate result would be the complete breakdown of the party system; and the party system is the basis of our whole governing machine. No government, under proportional representation, would be able to count upon the steady support of a working majority, accepting the orders of its whips. Stability, firmness, consecutiveness of policy would vanish. In place of coherent and clearly marked parties, whose action can be foretold, we should have numerous continually shifting groups. Instead of a logical and consistent policy, pursued by a compact ministry sure of its position, we should have continual bartering and bargaining for support. Government would be at once disorganised and corrupted. And this would be the result of

making the House of Commons a more accurate reflector of the variegated and changing opinions of the country.

No: until some totally new, and as yet unforeseen, machinery of government has been invented, we must be content to leave the House of Commons more sharply and artificially divided into parties than is the country at large. We must be content to leave to the House of Commons the function of expressing the broad choice of the country between two or more organised parties, without attempting to make it reflect the subtler gradations of national opinion. It is only thus that responsibility for the whole conduct of executive government can be definitely brought home to the homogeneous body of men who form the ministry; and the effective concentration of responsibility has been one of our greatest political achievements. It is only thus that stability and confidence in the conduct of public affairs can be combined with popular control over those who conduct them; and this combination is the essence of free and efficient self-government.

We may, then, admit with Mr. Balfour that the House of Commons not only is not at present, but cannot be made, fully representative of the nation in any but the broadest sense. In admitting this, however, we do not diminish the importance of the function which the House of Commons maintains; it is just because of the extreme gravity of that function, the combination of stability and consecutiveness of

purpose with public control, that the House of Commons cannot afford to represent the subtler gradations of public opinion, but must be divided into solid organised armies, whose primary business is either to support or systematically to criticise and oppose the government.

But just for that reason we must have, not above, but alongside of, the House of Commons a Second Chamber, in which the varied currents of national thought will get representation, and which shall be able to rectify the rough partisan justice which is all that can be yielded by the confused elections for the Commons House. The function of this Second Chamber might be compared with that of the Judge and Jury in the Law Court over against the arguing counsel; but this comparison greatly exaggerates the relative importance of the Second Chamber. For it is clear that the House of Commons must remain the body that puts ministries in power and keeps them there; and so long as that is so, it will be in the House of Commons that political reputations will be mainly made or lost. It is clear also that, as the single means of controlling the executive, the House of Commons must have an absolute and undisputed authority over Finance, over the Ways and Means of day-to-day administration; the more so as finance is essentially an administrative question, and the whole national organisation is liable to be thrown into confusion if any serious dispute or uncertainty arises in regard to it. Finally, it is clear that if we accept the doctrine that the party

system is the essential driving-force in our political machine, the main initiation of all important legislation must remain with the House of Commons, and under the direction of the Ministry. But the Second Chamber is necessary in order to ensure that the most highly organised party may not mistake its own voice for that of the nation, as it is highly apt to do in the atmosphere of the House of Commons, echoed in a partisan Press; in order to ensure also that those numerous gradations of opinion which cannot get themselves represented in the House of Commons may be able to make themselves felt on all important legislative and executive proposals.

The argument in favour of a Second Chamber developed in the foregoing pages rests mainly upon the necessity of obtaining a more accurate reflection of the national mind than the House of Commons can give. Another argument very commonly employed is the need of a body whose judgment shall be independent of popular opinion, steadier than popular opinion, and wiser than the national mind. There is a sense in which each of these phrases represents a highly important qualification of a perfect Second Chamber; and also a sense in which each of them represents a direct contradiction to the idea of representing the national mind. If to be independent of popular opinion means to be quite free from popular control, the Second Chamber which is in this sense independent must be inconsistent with a democratic system; and we are committed

to democracy for good or ill. Such a Second Chamber must either yield to the popular will from the base motive of fear, in which case it will perform its functions ill, because instead of honestly considering the proposals submitted to it, it will be perpetually engaged in measuring how far it may safely go in defiance; or, resisting boldly, it will be eventually destroyed. In a self-governing community no organ of government can in this sense be independent. On the other hand, if this independence means only that the individual members of the Second Chamber are to be so placed that they can confidently state their honest opinions, even when these are generally unpopular, then certainly such independence is essential to an effective Second Chamber. Again, if the demand that the Second Chamber shall be wiser than the national mind means that the permanent political doctrines and ideas of a majority of its members may be widely different from the permanent and fundamental opinion of the nation as a whole; that after the nation has accepted the democratic idea frankly and fully, the Second Chamber should continue to hold another political faith, such as the feudal idea, then the only result must be disaster and the destruction of the usefulness of the Second Chamber. For, even on the assumption that the doctrine favoured by the Second Chamber is the wiser and the truer, it cannot prevail; and the only result of its dominance in the Chamber must be to put the Chamber out of sympathy with the nation, to

discredit its action, to rob its criticism of legislative proposals of all sincerity and vitality. The feudal idea, or any other idea which is widely held in the nation, ought to be heard in a well-constituted Second Chamber; but it ought only to be heard in its place, as part of the total voice of the nation. On the other hand, if this greater wisdom of the Second Chamber only means that its members ought to be drawn from among the wisest and steadiest men of the nation, of all classes, parties, sects, opinions, then the demand is one which certainly ought to be met in the fullest degree possible.

A Second Chamber, then, we need; a Second Chamber which shall be more representative than the House of Commons, in the sense that it shall more minutely reflect the varied currents of national life; which shall be independent, in the sense that its members may freely speak their minds without fearing the crack of the party whip, though they speak unpopular things; which shall be wiser than the nation, in the sense that it is drawn from the wisest of the nation.

Whence are we to get such a Second Chamber? Let us listen to, and disentangle, the voices of the various discordant counsellors who are now preaching to us.

IV

DURING the election of January 1910 it was made to appear that there were few, even among the Lords themselves, who were perfectly content with the constitution of the House of Lords as it is. But the later discussions have shown that it is not with the fundamental character of the House of Lords that the majority of its members have any quarrel; they feel that it is rather too large; they feel that it is weakened in the popular regard by the presence among its members of many men who are popularly considered to be unworthy of a place in a legislative assembly; some of them feel that the disparity in numbers between the two parties is unduly great, and without desiring to establish an equality, or anything approaching to an equality, in numbers, they feel that the Conservative majority in the House of Lords would have more effect on the mind of the public if it were less overwhelming. But with the essential character of the assembly they have no quarrel, and it appears probable that any changes in the composition of the House which they may be willing to consider will not affect that essential character, but will rather aim at removing weaknesses

which attract popular criticism, and at thus strengthening the House. This is evidently Mr. Balfour's view: he does not desire a better Second Chamber, he says; but he desires that Second Chamber to be stronger. This view is widely held outside the House of Lords itself. It is natural that those Conservatives who are party men before everything should take this view, for they find in the House of Lords an invaluable party asset. But many besides the pure party man are of the same opinion. The instinctive conservatism of Englishmen dislikes experiments with familiar institutions, and the feeling is very common that however obvious the defects in the House of Lords, however logically indefensible its constitution, it works better than the Second Chambers of some other countries, and better than anything else we are likely to be able to invent as a substitute. This attitude receives a very great reinforcement from the deeply rooted snobbery of this nation, which profoundly respects Lords as Lords, and from the more genuine respect which has deservedly been won by the good manners, clean-handedness, and public spirit of the English ruling class. It may be suggested, however, that the wide diffusion of this feeling is really due to the fact that the Englishman, being suspicious of general principles, refuses to ask himself whether it is possible to obtain from a body constituted like the House of Lords all, or even the chief, benefits of a Second Chamber. Let us examine, from this point of view, the main arguments which are

adduced in favour of the fundamental features of the House.

We may very properly begin with a belief which is seldom or never put before the electorate, but which is certainly strongly held by a large number of the peers themselves, and will probably influence their action on the question, consciously or unconsciously, more than any other consideration whatsoever. This belief obtained tolerably clear expression in a speech of the Duke of Northumberland in the House of Lords on March 21, 1910. Lord Rosebery had protested against the idea "that their lordships had a vested interest in the right to legislate." The Duke of Northumberland replied to this that he "did not quite understand the difference between a vested interest and a right, but when they came to consider *how far they should waive that right* it was a very different matter. It was unfortunate," he went on, "that Lord Rosebery's resolution should lay it down that the possession of a peerage should no longer of itself give that right to sit and vote in the House. It would be more logical if the resolution proposed that the right to sit should not be exercised by certain peers." There is implicit in this pronouncement a theory which is totally inconsistent with the idea of self-government. It regards the peers not as exercising, on behalf of the nation, a function of government which the nation may properly, if it thinks fit, entrust to other hands; but as exercising an inalienable right. The legislative power, in this theory, is not a trust;

it is a piece of property, belonging by hereditary right to certain privileged individuals, who presumably may "do what they like with their own." As property, it is inalienable, except with the consent of its owners. They may "waive" their right, if they are graciously pleased to do so, or think that by doing so in part they will make themselves more secure. But the Duke of Northumberland is evidently of opinion (if I do not do him an injustice) that to deprive the peers of this right of theirs, without their own consent, will be essentially robbery. It would be waste of time to discuss a doctrine so wildly out of relation with all the most vital political ideas of this age, but it is worth remembering that a good many members of the House of Lords do regard their legislative functions from this point of view and in this spirit.

The ablest and most subtle of the defenders of the House of Lords is Mr. Balfour. What he says always receives, and deserves, respect and attention; for even when he is engaged in inventing arguments wherewith to maintain a bad case, an exercise in which his ingenious mind rejoices and which he performs with unrivalled skill, his intellect is too acute and too fastidious to be content with trite or stupid arguments, and he often lights upon notions which would have occurred to no one else, and which bring out some unsuspected aspect of truth. In the discussion on the House of Lords his main contribution has been the contention that the

House of Lords represents "the permanent will of the nation," while the House of Commons represents only its constantly changing opinions. This means that the Lords are the custodians of the old and rooted traditions of England, the exponents of a national character which is fundamentally unchanging, though the surface of national life is now so much agitated by gusts of emotion due to the growth of city life and the influence of a cheap newspaper press. It is an ingenious and suggestive contention; and if it could really be shown that the permanent and solid mind of England, unperturbed by passing clamours and excitements, did actually find expression in the House of Lords, then there would indeed be reason to pause before tampering with that body. But the argument will not stand the test of fact. It may be true that a sort of hurrying restlessness has replaced the bovine calm and solidity that once marked the English nation; but if it be so, the change is due to causes which affect the very rich more deeply than they affect other classes. The society of the leisured rich is perhaps less vicious than it has been in some other periods, but it is more frivolous, less intelligent, and far more excitable. A fine tradition of dignity and sobriety of judgment is still powerful in a few of the great families; but we are concerned with the mass of the peers, and it is hard to maintain Mr. Balfour's theory in face of the spectacle which many of them presented at the 1910 election, stumping the country with incoherent and extravagant

speeches, and tumbling over one another in their eagerness to endorse the sensational German scare raised by a Socialist demagogue. If we look at the record of the House of Lords for the last century, the claim that it has represented the "permanent will of the nation" becomes merely absurd, for its activity has mainly consisted in desperate resistance to measures on which there is now no dispute, and which may be said to have been adopted as part of the "permanent will of the nation." We have established parliamentary self-government; no doubt many peers believe that this has been a blunder, and that the nation would be much happier if we could return to the *status quo ante* 1832, but the nation does not think so—parliamentary self-government, hated and resisted though it was by the House of Lords, has become "the permanent will of the nation." We have established tolerably complete religious liberty; and the peers themselves would not now exclude Lord Rothschild or the Duke of Norfolk from the House of Lords, though they desperately resisted the admission of their predecessors, or undo the admission of Dissenters to the Universities, which they did their best to prevent. On almost every occasion on which the Lords played any very active part during the last century, time has proved that they did *not* represent the "permanent will of the nation." A hundred and fifty years ago, when the Lords were a group of stately gentlemen, the great landowners of a nation of owners and tillers of

the soil, they were the natural leaders of the people, and at that date Mr. Balfour's claim for them would have been a just claim. Now it is just no longer. For now the peers include only a few among the natural leaders and spokesmen of the nation and its diverse, conflicting, and changing interests. These few are all of one type and colour, and in their own House they are outweighed and swamped by a great mass of men of no distinction, self-satisfied, prejudiced, and excitable.

The contention most often and most seriously advanced in favour of the House of Lords is that it has the virtue of independence, because its members do not require to submit to the degrading process of popular election. But it has already been pointed out that independence in the sense of complete freedom from public control is not an advantage, but a danger and a mischief. In actual practice the House of Lords shows no real independence. Its members act always under the fear of popular displeasure, and even when they believe a measure to be bad, will not vote against it unless they think they can do so without damage to the interests of the Conservative party at the polls. Their action on the Trades Disputes Act and on the Old Age Pensions Act attests this. Both of these measures they condemned in the strongest terms as in the highest degree deleterious to the national interests. Yet they passed them, under the mean compulsion of fear. This is not the kind of independence we need in a Second

Chamber. What we need is a body of men fearless in expressing and acting upon honest opinions; a body of men independent, not of popular control, but of class prejudice and class selfishness, independent also of party ties. This kind of independence the House of Lords cannot claim. There is a handful of men in that House who deserve honour because they are truly independent. But they count for nothing; the House, taken as a whole, acts in the interest of its class, modified only by a base fear of popular anger, and governs its conduct wholly by a consideration of the electoral needs of the party to which the majority of its members belong.

The one essential feature of the House of Lords is that it is (apart from the bishops and the law lords) a hereditary House; it is therefore on the hereditary principle that the discussion mainly turns; and those who set themselves to defend the House of Lords, not as possessing an inalienable right to legislate, but as constituting an efficient and useful Second Chamber, have first to address themselves to the defence of the hereditary principle. The boldest and most unqualified defences of the hereditary principle that have been put before us have been those of Lord Curzon and Lord Willoughby de Broke. Lord Curzon has gone so far as to commend to the admiration of Englishmen of the twentieth century the rigid caste system and the hereditary trades of India; Lord Willoughby de Broke has urged the analogy of the racing-stable as our best guide in the composition of the legislature.

But the arguments of these gentlemen prove more in one direction, and less in another, than their principal thesis requires. On the one hand, their argument, if just, should lead to the abolition of the House of Commons, and of all other representative institutions. On the other hand, it is not enough, in defending the House of Lords, to assert or even to demonstrate that the sons of able men are likely to inherit their ability; it is necessary to prove in the first place that it is the eldest sons peculiarly who inherit ability, and in the second place that those eldest sons who fill the House of Lords are descended from ancestors of exceptional ability, selected because of their special qualifications for legislative work. Neither of these positions will be found very easy to establish. Lord Willoughby's analogy of the racing-stable is especially a very double-edged weapon. He is for pedigree, he declares, whether in horses or men. But Lord Willoughby's demand for pedigree is much more exacting in the racing-stable than in the House of Lords. He will not admit a horse to his stable, as a matter of right, merely because one of its ancestors, five generations before, won a race or two; he will inquire anxiously into its pedigree on both sides, and will demand at every stage evidence of ability in the particular business upon which the horse is to be employed. He will not dream of giving the first-born a preference because it is the first-born; and he will attach almost as much weight to training as to

pedigree. Before we accept Lord Willoughby's analogy as an argument for the hereditary principle in government, we must make sure that the analogy really holds good in all respects. Have the ancestors from whom our heredity law-givers descend been chosen for their skill in law-making? A few of them have, but very few. Some of them were distinguished generals or admirals. On the hereditary principle that might be a good reason for entrusting to their descendants the command of our fleets and armies; but since *inter arma silent leges* it seems the worst possible reason for entrusting to them the business of making laws. Most of them were ennobled, however, for quite other reasons; merely because they were rich, or brewed ale successfully, or in a large number of cases because they owned pocket-boroughs which they were willing to place at the disposal of Lord North or Mr. Pitt, or, more recently, because they had contributed large sums to the funds of one or other of the political parties. It is, of course, notorious that the great majority of British peerages do not date further back than the later part of the eighteenth century; the peers of popular imagination whose ancestors forced King John to sign Magna Carta are little more than a picturesque figment. Even if the hereditary principle is in itself sound, it is abundantly clear that the mode in which the favoured families have been selected is absurdly different from the deliberate and scientific selection which is practised in Lord Willoughby's

stable. The members of the House of Lords are not only the descendants of former legislators, they are also (unless a change be made) the ancestors of future legislators. It may therefore be worth while to test the working of the hereditary principle by imagining that no House of Lords had ever existed, that we had agreed to set up a hereditary chamber, and that we were about to select the founders of the families of hereditary legislators. Will any one suggest that in such an event more than a dozen of the six hundred actual peers of the moment would be selected?

It is not difficult, however, to make hay with the ordinary arguments adduced in defence of the hereditary principle; they are for the most part so childlike that the answers to them appear like debating-society points. But we must recognise that in giving these answers we have not really disposed of the hereditary principle. The plain man still feels, when all this has been said, that there is a solid substratum of truth beneath the over-statements of Lord Curzon and others; and the plain man's instincts usually have a great deal of truth in them. He recognises, in the first place, that there are some great English families which have undoubtedly shown, generation after generation, marked political capacity. Such are the Cecils, the Cavendishes, the Stanleys, the Russells, the Petty-Fitzmaurices. Their ability has not often been of an original or initiative type; no great original genius has been produced by these families; they have rather

shown a sound political sense, a power to take reasonable views and to escape from being hag-ridden by theories, a certain administrative tact and gift of judging men and seasons, which have undoubtedly formed a very real and solid contribution to our political life. The plain man has always felt a certain trust both in their capacity and in their uprightness. He recognises in them an acceptance of the principle that *noblesse oblige* to public service. He believes, and rightly believes, that both the clean-handedness and the moderation of English public life have been largely due to them, and when he looks at the state of American politics is inclined to attribute the contrast to the influence of the aristocracy in England. And though this is not the whole truth it is part of the truth, and the plain man does right to feel a certain hesitancy about proposals which seem to him likely to rob these families of their assured position in the national councils, and therefore to rob the nation of their sanative influence. The plain man is inclined to exaggerate the number of these great political families and to suppose that they form a numerous and influential element in the House of Lords, whereas they are in reality comparatively few. He is inclined also to forget that the least distinguished members of these families play their part, and have always played their part, in the House of Commons as well as in the House of Lords; and the readiness with which they find seats, the ease with which, if they show any ability, they rise to high office, are not to be

attributed solely to an undue respect for rank, but are due to a certain confidence in the hereditary principle. This means that even in the most democratic institutions the hereditary principle gets respect whenever it deserves it at all, and sometimes when it does not deserve it; so that there can be no fear that those families which have distinguished themselves by a hereditary aptitude for political life will be excluded from public life even if the House of Lords goes. The only circumstance which would tend to exclude them is a too great rigidity of party divisions. We have seen recently how two admirable representatives of a great family, Lord Hugh and Lord Robert Cecil, were successively excluded by this cause from the House of Commons. If a similar rigidity of party divisions were extended to the House of Lords (and we shall see that this would be the inevitable result of some of the proposals for reforming that body) the eldest sons of great families who took independent lines would be as liable to be excluded from the Second Chamber as the younger sons from the elected House. It is very often from the younger sons that we can most fully get the hereditary virtues of a great family. If, therefore, we desire to take the fullest advantage of the hereditary principle, so far as it is sound and true, what we must desire to do is (if it may by any means be done) to get a Second Chamber which will afford a place for hereditary political gifts wherever they display themselves, whether in elder or in younger sons.

We may, then, admit that there exist in the House of Lords a certain small number of peers who do testify to the virtue of the hereditary principle. Even these, however, though they have the knowledge, tact, and breadth of experience which their position gives them, have also the prejudices and the special point of view of their class, and must be balanced by other elements before we shall have a well-constituted Second Chamber. The hereditary principle produces some good results, but it is not enough of itself, and its good results are to be reaped, and are reaped, elsewhere than in the House of Lords. As for the large majority of the peers, in them the hereditary principle does not justify itself as a mode of constituting a legislative body ; how indeed should it? For few of them come of families distinguished by any great and continuous public services. They are, of course, for the most part very honest, healthy, well-fed, well-mannered, sportsmanlike gentlemen. But they have had no training for their work, and they have no aptitude for it. They have all their lives been accustomed to having far too much of their own way. They are (like most men) more apt to think of their rights than of their duties, and this becomes politically dangerous when the rights which a man claims affect very deeply the lives of a great many of his neighbours. Above all, since their class and caste is for these men specially marked off, it is even more impossible for them than for other men to avoid being biassed by the habits of mind and

the prejudices of class. That is, indeed, the great defect of the hereditary principle as applied to a Second Chamber, that it emphasises and exaggerates the note of class feeling.

And this brings us to what is, consciously or unconsciously, the real ground upon which the present constitution of the Second Chamber is defended. It is ultimately the ground of class-interest, the old argument of the "stake in the country." This argument is not nowadays very openly urged, because this is a democratic age; but what the Lords and their supporters really feel is that this House, as it stands, does very effectively represent the class which has least reason to complain of the existing order of society, and which, therefore, may most advantageously be entrusted with the task of resisting attacks upon it. Because the peers have "a stake in the country" therefore (so the argument runs) they will be most likely to feel, and to resist, measures likely to be deleterious to the prosperity of the country. It is a highly misleading argument. For, in the first place, one may well ask, Which of two men has the greater "stake in the country," the man who if things go ill may at the most have to dismiss a lackey or two, or shut up one of his many houses, or let his grouse-moor; or the man who, through some mistaken action of government, may find himself suddenly deprived of the means of livelihood, forced to sell his poor sticks of furniture and break up his home, to see his children hungry, to tramp the streets begging for work, humbly and in vain?

For the purpose of guarding the country against disastrous and ill-conceived policies, there is as much to be said (from the point of view of this argument) for a House of Weekly Wage-earners as for a House of Lords. But, you will say, the weekly wage-earner will be apt to be ignorant, unjust to other classes, unable to look beyond the needs of his own class. Precisely; but is the class of peers alone free from these natural and human temptations? It is surely a dangerous thing to give a power of negativing legislative change to the representatives of any single class, and most of all to that class which is already most happily placed, and which enjoys a wealth and a luxury already too great for its own health and that of the nation. For it is always possible that the well-being of a single dominant class may actually in some measure be due to the very causes which produce the ill-being of other classes; that the "stake in the country" may be, in Mr. Churchill's picturesque phrase, a "stake in the heart of the country." And certainly the dominant class cannot be the best judge as to whether this is so or not. Rightly or wrongly there is in this generation a growing tendency to believe that the sources of the two gravest social ills from which our country suffers, the horrible aggravation of wealth and luxury at one end of the scale, the still more horrible mass of poverty and degradation at the other end, are closely related to one another. Clearly it is of the first importance to the welfare of the nation that this question, once raised, should be gravely

and impartially discussed. A mere dogmatic indignant negative to the suggestion, given by the House of Lords, is not going to be accepted as an answer; because the House of Lords is an interested party; and the more often and the more loudly such an answer is given by such a body, the deeper will become the conviction that there must be something in the theory.

It is the mere raising of this question which has awakened the terrors of Lord Rosebery and led to the demand that the House of Lords shall be purified and strengthened in order that it may resist the horrors of Socialism. What Lord Rosebery means by Socialism it is difficult to say; "the end of all things" is scarcely a satisfactory definition. It would probably be unfair to him to suggest that he shares the crude and childlike idea that Socialists aim at the sudden and violent confiscation of all property, by the brute force of a greedy proletariat, led by wicked demagogues like Mr. Lloyd-George, and its subsequent administration for communal purposes under the control of an army of tyrannical bureaucrats. But if Lord Rosebery really fears any such thing, he can scarcely hope to be protected by a House of Lords, however doctored; the giving of a controlling voice to a class assembly and the refusal to give to rational (if mistaken) inquirers into the causes of social ills any answer other than that of violent denunciation, being the most certain of devices for stimulating the revolutionary temper. Lord Rosebery's real and sole protection is, of course,

to be found in the fundamental honesty of the mass of the people, and their fundamental love of justice. Almost all men are honest with streaks of dishonesty, and the streaks of dishonesty often neutralise one another in the mass. If we believe that, then we may safely trust the people—more safely than any single class or interest; and no class device for class-protection will be necessary. If we do not believe that, but regard honesty as the special characteristic of the few, dishonesty and prejudice and greed as the marks of the many, then no class-device for class-protection will avail for more than a moment. The fearful and ungenerous souls who live in dread of violent confiscations seem to have adopted the cynical and detestable view that the mass of men are fundamentally dishonest. Yet how strangely they contradict themselves! For when they appeal to this same mass of men against the bugbear of Socialism, it is by demonstrating the injustice and dishonesty of Socialism that they strive to enlist against it the very men who might hope to profit by it! And they not only try, but succeed; for there are thousands of English working-folk, with nothing to lose, who hate the name of Socialism just because they identify it with dishonesty, injustice and tyranny. Meanwhile the Socialist makes his converts, not by appeals to cupidity, but by denunciations of injustice, by arousing the enthusiasm of his hearers with Utopian dreams of a state of things declared to be unrealisable in the life of any of them, by incit-

ing them to labour for the creation of a City of God in which justice shall rule. It is against a People whose enthusiasm can only be effectively aroused by this sort of appeal, on one side or the other, that we are invited to protect a class which is richer than any other ruling class has been in history, buttressed by every kind of influence and power, and respected and petted far beyond its deserts; we are to protect it by giving it for ever the right of a negative voice upon all proposals of social amelioration which it may think hostile to its own interests.

The use of such arguments as we have been dealing with is in itself a condemnation of the House of Lords as it is now constituted; for these arguments rest ultimately on the assumption that the interest of the wealthiest class is hostile to that of the community as a whole. If there is such inconsistency of interest, then the maintenance of a class-assembly can be of no permanent avail, but is clearly dangerous and unpatriotic. If there is no such inconsistency, then the function of guardianship may far more safely be entrusted to a body which can represent, and maintain a just balance between, all classes, interests and opinions.

In fine, the House of Lords stands condemned, and all England knows it, excepting only some few of the Lords themselves. It may stand for a few years yet, but only because we have not yet made up our minds how it is to be replaced; but if not now, then a few years hence, it will either be recast or replaced. It

stands condemned because it stands only for one class, and can do nothing to qualify the unrepresentative character of the House of Commons; because it is not independent in any true sense; because it is partisan, and accentuates instead of qualifying the extreme rigidity of party existing in the country; because its constitution and consistent action threaten to render party government and a parliamentary executive impossible.

Nevertheless the House of Lords has some merits which ought not to be forgotten in this general condemnation, and which ought if possible to be retained in any new Second Chamber which we may construct. We have already noted the strength which it derives from the presence within it of representatives (not always the best living representatives) of families which have a fine tradition of public service. In addition to these it includes some men, not present by hereditary right, but by the nobler title of great service rendered to the Empire in all parts of the world, men like Lord Cromer and Lord Roberts, whom the nation profoundly respects and trusts, whose characters and achievements are a national possession. Having spent their lives outside the sphere of party politics, they bring a certain detachment of view to bear upon them. These men do not direct, or even greatly influence, the action of the House; even if they did, that action would not necessarily be wise, because these men have largely obtained their wide knowledge and experience in the governing of subject races, which is not a good

training for the government of a proud and self-ruling people. But they have valuable contributions to make, and their criticism of administration is often of the highest importance. The House of Lords also includes some of the greatest lawyers in the land, and some politicians in whom even a long life of party politics has not been able to crush a real independence of mind. Escaping from the slavery of party, their voices are sometimes heard within the House of Lords when counsels of reason and moderation are almost inaudible elsewhere. Such are Lord James and Lord Balfour. Like the other class just mentioned, they do not exercise much influence over the main decisions of the House, which are made elsewhere and governed considerations of party. But they are often very useful in the detailed amendment of those minor measures which escape the party vendetta.

It is the contributions of these small classes which establish the reputation of the House of Lords as an assembly of statesmen, though they are powerless to affect its general policy; it is their contributions to the debates of the House, fruitless though they be in affecting a decision already predetermined, which on great occasions rise to so high a level. Such men would in most cases be loth to submit themselves to the strait bonds of party discipline imposed in the House of Commons. It would be a national misfortune if no place were found for them in the national councils. What is to be prayed for is that they should find a place in a kind of Second Chamber

where their voices would exercise due influence, instead of merely adorning the formal process of recording a decision in which they have had no real part, but which has been dictated beforehand by the leaders of the Conservative party.

These are the strong and good elements of the House of Lords which mainly win for it the respect it still commands. It is not the least defect of the existing system that the value of these strong and good elements is almost wholly thrown away.

V

THE most distinctive political characteristics of the Englishman are his respect for precedent and tradition, his distrust of sweeping theories, and his unwillingness to commit himself to novel and far-reaching experiments. This distrust and this unwillingness are due above all to the Englishman's dim, but strongly-held, belief that the essential virtues of institutions, and especially of institutions which have had a long life, are not to be discovered by a mere process of logical analysis, but often reside in some aspect of them which the theorist will either overlook altogether, or dismiss with contempt as irrational and anomalous. Hence, when an institution proves to be unworkable, the English instinct is always to make in it the very smallest change that will enable it to perform its functions with any approach to efficiency, or, rather, the smallest change that will remove the practical inconvenience from which he suffers at the moment. Threatened by a breakdown in his whole system of government, which is in the main due to the constitution and character of the House of Lords, his instinct bids him ask himself what is the least change in the constitution of the House

of Lords that will put an end to this inconvenient state of affairs, and enable the machine of state to rumble along again. Faced by such a situation, it would be the instinct of some other nations, and among them of the Scots, to argue that this state of affairs was due to the impossibility of working a system of self-government in conjunction with an assembly which had descended from pre-democratic days, and to conclude that the only permanently satisfactory solution must be the abolition of the House of Lords, and its replacement by another body more in keeping with the rest of the system. There are, of course, many Englishmen who take this more sweeping view; they are the more numerous now because one of the great political parties has been exasperated to the limit of endurance by the action of the House of Lords. But the mass of ordinary men, at any rate in the upper and middle classes, will take the traditional and characteristic attitude. They will prefer that, if possible, the House of Lords should be amended, rather than replaced by something quite different and quite new. This attitude or habit of mind deserves great respect, for there is a vast deal of instinctive political wisdom in it. But it has its obvious drawbacks. If we are too anxious to concentrate all our attention upon the removal of immediate practical inconveniences, and to avoid opening up wider questions, we shall be very liable to act short-sightedly, and in the end to do more harm than good. Respect for this English habit of mind

demands that we should give the most careful and friendly examination to all the proposals for the reform of the House of Lords, and be even eager to see the merits of them. But in examining them we shall do well to take a wider view than the Englishman is apt to do; and to consider, in regard to each proposal, not only whether it preserves to us the existing merits of the House of Lords, or whether it removes some particular outstanding defects of that House, but whether it promises to give us a really efficient Chamber, more genuinely efficient than the House of Lords has ever been—a Chamber capable of checking and revising the measures, not of one party only, but of all parties, and capable of giving due weight to those elements and bodies of opinion in the country which cannot make themselves sufficiently felt in the House of Commons, owing to the increasing rigidity of party divisions.

It is not in this spirit that the subject is being approached by the politicians who are now discussing it. The Liberals seem to be interested only in securing a fair chance of success for Liberal legislation; they do not ask themselves whether or how the House of Lords can be turned into an efficient Second Chamber. The Lords, on their side, are equally little concerned with the broader question. They have realised that their numbers are too large for a working assembly, and they want to reduce them; that there are elements in their House which expose them to public ridicule, and they want to get

rid of this weakness; that the preponderance of the Conservative party among them is so overwhelming as to give an appearance of unfairness to their decisions, and they want their decisions (without being altered in character) to have more weight. In short, while the Liberals want to hew a passage for their social legislation, which the Lords call Socialism, the Lords want to prune and strengthen their House so as to make it a more efficient barrier against what they call Socialism. Thus both sides in the controversy are aiming at purely partisan ends; both are, consciously or unconsciously, considering the House of Lords primarily as an obstacle or an aid to their party cause; neither seems anxious to consider seriously what are the functions which a Second Chamber ought to perform in a country governed by a parliamentary executive based on the party system, or to devise means for transforming the House of Lords into such an assembly. From a discussion conducted in such a way no satisfactory result can ever come; but that is the kind of discussion which we have to expect in a country which is afraid of principles. If we are to reach any conclusion of a rational kind, we must examine the various schemes for the reform of the House of Lords in quite another spirit; with all sympathy, indeed, but with constant reference to the needs of our governing machine as a whole, and the essential functions of a Second Chamber.

Lord Rosebery has persuaded the House of Lords, by a large majority, about one-third of

the peers being present, to approve the principle that a hereditary peerage should not of itself carry the right to a seat in the legislature. This means that a selection is to be made among the peers, by the demand of some other qualification over and above birth. The qualifications which have been suggested are (1) public service and (2) election. In regard to public service the suggestion is that all peers who have held for a defined minimum period any of a list of public offices should thereafter be entitled to sit and vote in the House of Lords for life. The advantages of this proposal are obvious and great. If it were provided (as it no doubt would be provided) that service in one of the specified offices before a man became a peer, when he was an ordinary commoner or an eldest son sitting in the House of Commons, should be counted for this purpose, the scheme would retain in the House of Lords almost all the most valuable elements which it now contains. It would retain all those descendants of great houses with a tradition of public service who had proved themselves worthy of their traditions by undertaking the burden of public office, provided that their ability had been great enough to win for them an office of high rank; and no shining genius is needed to enable a man of this type to reach high office in England. It would thus retain all that was valuable in the hereditary principle for the purposes of government. It would retain the men who have filled great offices in various parts of the Empire, and been

rewarded by peerage for their services; and some at any rate of the men like Lord Sanderson, Lord Welby, and Lord Farrer, who have acted with most conspicuous success as the permanent heads of the great departments of State; and men like Lord Morley and Lord St. Aldwyn, who have been in the forefront of the political struggle in the Commons; indeed the great majority of the men who have peerages conferred upon them, not for subscriptions to party funds, but for distinguished public services, would under this arrangement be secure of seats in the Second Chamber for life.

The kind of effect the proposal would have upon the composition of the House of Lords would, of course, largely depend upon the number and character of the offices giving qualification. As it is at present urged, the proposal contemplates the recognition for this purpose of only the greatest offices—offices of Cabinet rank, governorships of the greater colonies and dependencies, headships of a few of the most important departments in the civil service, and the highest ranks in the army and navy. But it would be possible to give a much wider extension to the list, so as to make it include under-secretaryships, minor governorships, the chairmanship of a County Council or of a Territorial Association. So wide an extension of the list would make it possible to secure that every peer who took his public duties seriously would exercise legislative powers; while it would encourage peers to throw themselves

more actively into the working life of the community. On the other hand, it might be urged that so large an extension of the qualification by service would in practice defeat the main object in view, that of reducing the numbers of the House of Lords, since it would make it easy for all peers to resume their legislative rights. As things go in England, a peer finds it extremely easy to be elected to the chairmanship of a County Council or a similar office; and as he is not elected on the ground of his administrative efficiency, but for quite other reasons, his presence does not always make for the efficient conduct of business. Peers who do not want to do public work for its own sake, and who have no capacity for it, serve their country best by playing golf or killing things; and there would be no national gain in a system whereby such men were encouraged to exploit the snobbery of County Councillors, and mismanage the business of County Councils, in order to qualify for the right to mismanage national affairs. Another reason which probably moves reformers of the House of Lords to restrict the number of qualifying offices is the fact that (if the total number of members of the House is to be cut down to a definite figure) the more numerous the members admitted under this head, the less room there will be for the other types for whom the reformers are anxious to make room.

If the narrower definition of qualifying offices is adhered to, the scheme would have a further advantage. So far as this section of the House

of Lords is concerned, there would be no great inequality of numbers between the two great political parties; though a substantial majority would remain with the Conservatives because Conservative Cabinets contain a larger number of peers, as a rule, than Liberal Cabinets, while, owing to the paucity of Liberal peers, colonial governorships and other offices, which can by tradition only be filled by peers, fall in a majority of cases to Conservatives. But while the balance as between Conservatives and Liberals would not be hopelessly unequal, this scheme would give no seats at all to members of the two smaller political parties, the Labourites and the Nationalists. So long as two out of four of the organised political parties which divide the House of Commons are unrepresented in the House of Lords, that assembly cannot possibly act as an impartial revising authority. And the fact that most peers would be outraged by the mere suggestion that members of these parties should be admitted to their House is a final and damnatory proof of its partisan character. If the group of peers qualified by public service would not include Labourites or Nationalists, there would be equally little probability of their including representatives of those bodies of opinion in the country which do not fall within the lines of party division. For they would be almost all, *ex-hypothesi*, definitely party men, party men of that deeper dye whom we call front-bench men. And to this extent the proposed mode of selecting among the hereditary

peers would, instead of qualifying the artificially sharp party divisions of the House of Commons, merely continue it or even emphasise it. Moreover, the peers of this group would be all of the official type, and most of them would be elderly officials. Now the official point of view is a necessary and important point of view, but it has its defects, and one of the problems of parliamentary government is the problem of saving the legislature from being unduly dominated by it. It is already only too powerful in the House of Commons; the two front benches between them, commanding as they do the party loyalty of their followers, impose it too much upon the House, to the restriction of free criticism. In the Second Chamber, at least, its dominance ought to be anxiously avoided, and from this point of view official service, which is to be the qualification of the group of peers we have been discussing, might plausibly be represented as a disqualification. That would, of course, be an exaggerated view. But at least it should be plain that though the knowledge and experience of these men must form a valuable enrichment of any Second Chamber, they ought to constitute only a small proportion of its membership, both because they must tend to exaggerate the official point of view, and also because they will reproduce in an accentuated form the over-sharp party cleavage of the House of Commons.

Yet one criticism remains to be made, but it is fundamental. The qualification of this group

of members of the Second Chamber is to be two-fold, peerage and public service. But the real justification of their presence is to be found only in the public service they have rendered. Is there any valid reason why the other qualification, that of peerage, should be retained, or why men who have rendered valuable public service, but do not choose (for pecuniary or other reasons) to accept a peerage, should be excluded from the Second Chamber? Why should Sir Edward Grey (if he should desire to retire from the House of Commons without a peerage) be thought a less appropriate member of a Second Chamber than Lord Wolverhampton, or Lord George Hamilton than the Marquis of Londonderry? Why should an ex-permanent under-secretary's counsel be valuable in the Second Chamber if he has sufficient private means to justify him in accepting a peerage as a reward for his services, but of no value otherwise? There is no logical or practical reason for drawing any such distinctions. If it would be advantageous to the State that peers who have held high office should sit in the Second Chamber, it must be still more advantageous that all who have held high office should sit in the Second Chamber. By thus enlarging the scope of this suggestion, and making it general in its terms, we should lose nothing and gain much. We should, of course, retain what was most valuable in the hereditary principle because we should retain those who possessed and were worthy of a great tradition of public service; indeed we should retain it more fully

than ever, because younger sons, like Lord John Russell and Lord George Hamilton, who often do more justice to a fine family tradition than their elder brothers, would now be eligible as members of the Second Chamber. But we should retain the advantage of the hereditary principle without the invidiousness of making inheritance a necessary legal qualification. Our conclusion, therefore, in regard to the first suggested mode of making selection among the peers, is that it points to a useful mode of strengthening the Second Chamber, but that its full advantage can only be obtained by not limiting it to peers.

The second suggestion for making selection among the peers is that a certain number of them, say 150 or 200, should be elected as representative peers by their colleagues, according to the method long employed in the case of the Scottish and Irish peers. This proposal is put forward not as an alternative but as a supplement to the mode of selection by public service already discussed. If it is adopted, it will almost inevitably follow, in common fairness, that the remainder of the peers, now disfranchised, should be eligible for the House of Commons, as the Irish peers not chosen as representatives already are: the rule whereby Scottish peers not elected as representatives are excluded from a political career is a monstrous injustice, and ought to be repealed. It also seems reasonable to assume that if this proposal is adopted, the existing distinction between peers

of the United Kingdom, peers of Scotland and peers of Ireland, would be abolished, a single body of representatives serving for the whole peerage. The representative peers might be elected either, as in the case of the Scottish peers at present, for the duration of a single Parliament; or, as in the case of the Irish peers, for life. The distinction is in practice of small importance, and does not affect the general principle of peerage representation. The object of the proposal is to reduce the number of hereditary peers to manageable proportions, and to exclude those peers whose obvious unsuitability for legislative work awakens public criticism. But it is open to two vital objections. In the first place, what it amounts to is the substitution for a hereditary house of an elected house based upon an absurdly narrow class-qualification. Even from the point of view of those who believe that it should be the function of the Second Chamber to safeguard the interests of the well-to-do, it would clearly be better to base the elective franchise upon more logical principles, and to limit it (say) to persons having an annual income of £10,000, or owning landed estates of so many thousand acres.

But, more serious, this device instead of improving the House of Lords would accentuate some of its worst features, and probably weaken or destroy its special merits. For the election of representative peers would inevitably be conducted on party lines, as it is already in the cases of the Scottish and Irish peers. If the

representatives sat for life, elections would take place (after the first occasion) singly and at irregular intervals, as vacancies occurred. There would, of course, always be an overwhelming Conservative majority; the peer to be chosen would be indicated by the Conservative leaders, and no independent man would have a chance of election. The obedient way in which Lord Curzon, on his return from India, was elected as a representative Irish peer indicates how the system would work. Lord Curzon had received an Irish peerage when he went to India in order that, on his return, he should be eligible to the House of Commons; but he is not an Irishman, has no material interests or property in Ireland, and cannot be said to "represent" the real Irish peers. The Conservative party, however, wanted him in the House of Lords; the word went forth from Lord Lansdowne, and though the Irishmen grumbled, they obeyed. This is what would happen at every election. If the representative peers were elected only for the duration of a single Parliament, the Scottish practice shows us what would happen. The sixteen Scottish peers are always unwavering Conservatives; a Liberal Scottish peer knows that he is excluded from politics for life, and even a Conservative who dares to take an independent line will not be elected. At the last Scottish election, in February 1910, only one change was made in the list of peers who had sat in the previous Parliament. This change was the omission of the name of Lord Torphichen, a

good Conservative, who had dared to hold the view that in rejecting the Budget the House of Lords had exceeded its constitutional rights. It is perfectly evident that the result of these proposals would be that the whole body of representatives would be strong Conservatives, and that not only all Liberal peers, but all moderate or independent peers, would be excluded from the House. So far as its exaggeratedly partisan character is concerned (and that is one of its worst features), the last state of the House of Lords would be worse than the first.

Various devices for escaping from this result have been, or might be, suggested. One such device is that the peers might be elected in numbers proportionate to the numbers of the parties in the House of Lords. This would simply maintain the present disproportion on a reduced scale; while it would present the drawback of legally recognising political parties, and would exclude non-party men, or men belonging to parties which have not an organised existence in the House of Lords. There is no salvation to be found in any such device. Another suggestion is that instead of being elected by their colleagues, the peers should submit themselves to the suffrages of the electorate, the United Kingdom being divided for this purpose into special large constituencies. The electorate in these constituencies might be a democratic one, in which case the elected peers would be able to claim a really representative character; or it might be determined by a moderate or a high

property qualification, in which case the elected peers would be able to claim that they directly represented the propertied classes; or the Prussian model might be followed, in which a few of the members of the Upper House are elected by the votes of all landowners within defined areas. If any of these modes of election were adopted, the contest, whenever there was a contest, would inevitably be conducted on party lines, and if a high property qualification, or a landowning qualification, were required from the electors, the great majority of the peers elected would always be Conservatives. In a large number of constituencies, however, no contest on party lines would be possible, for the simple reason that there are not enough Liberal peers to provide candidates for one-half of the constituencies which would have to be created, while in Ireland no single candidate in the Nationalist interest would be forthcoming, because there are no Nationalist peers. This ridiculous situation—which brings out in strong relief the partisan character of the House of Lords—would of course reduce the whole process of election to the merest farce. It would at once lead to the demand that other candidates than peers should be eligible, a demand which would be so obviously reasonable as to be irresistible. The result, therefore, of an attempt to limit the number of peers by leaving the choice among them to constituencies of their fellow-countrymen, whether on a wide or a narrow franchise, would be to emphasise and perpetuate the rigidity of

party ties in the Second Chamber, and at the same time to show unmistakably that not merely the whole body of peers, but even a selection from among them, could not be made in any sense representative of public opinion. It would appear, therefore, that any project of making selection among the peers by a process of election, whether among themselves or by wider constituencies, is doomed to failure.

We have now examined, I hope with fairness and moderation, the two main proposals which have been made for improving the House of Lords by making a selection among the unduly large number of peers. The first of these proposals (that of qualification by public service) led us to the inevitable conclusion that the introduction of the principle of qualification by service was inconsistent with the maintenance of qualification by peerage; and that, therefore, so far as this class of members was concerned, the maintenance of the hereditary principle as a legal basis of the Second Chamber was impossible, the more so as all that was most valuable in the hereditary principle would be fully secured without any such legal restriction. The second proposal, that of selection among the peers by a process of election, we have found to be certain to lead to the elimination of some of the best elements in the present House, and the accentuation of one of its worst features, its partisan character. The conclusion, therefore, is irresistible that the hereditary principle as a legal basis for the Second Chamber must be swept aside

altogether, and that for the preservation of what is valuable in this principle we not only must, but safely can, trust to the operation of other forces than legislative ordinance. It is to be noted that this conclusion has not been arrived at by any attack upon the hereditary principle in itself; it has been dictated solely by the obvious and rudimentary demands of a reasonably fair working Second Chamber. If the possession of a peerage is not to be a sole and sufficient claim to legislative power, it appears that it cannot be a claim at all; and the admission of the first position by the House of Lords itself must necessarily lead us, sooner or later, to the construction of a new Second Chamber in which the hereditary principle, as such, will play no part.

The schemes for reducing the numbers of the House of Lords without altering its fundamental character lie open to yet another objection, of so fundamental a character that it would be fatal even if there were no other difficulties. These schemes not only make no provision for dealing with a deadlock between the two Houses, but they in effect destroy the only method—and a very cumbrous and inadequate method it is—which the constitution provides for meeting such a situation. So long as all peers are peers of Parliament the royal prerogative of creating peers can be used in the last resort to overcome the resistance of the House of Lords. It has been so used on one occasion, in 1712; the threat of its employment sufficed, on another occasion,

in 1832, to put an end to the deadlock. The use of the prerogative in this way has the defect of bringing the monarchy into the party warfare from which it should be anxiously kept aloof, and it is much to be desired that another mode of dealing with deadlocks should be devised; the more so as in these days when the disparity between the numbers of the parties in the House of Lords is so immense, the creation of peers necessary to force a Liberal measure through would have to be on so enormous a scale as to take on a revolutionary character, and almost to double the already impracticably large numbers of the peers. But so long as hereditary peerage remains the essential basis of the Second Chamber no other means is possible as a satisfactory solution of a deadlock. But the reform schemes, by definitely limiting the number of members of the House of Lords, do away with this power, even as a last resort, for though the King can still create peers, the peers whom he creates will not be able to vote in the House of Lords. In the event, therefore, of a difference arising between the two Houses (and differences will arise whenever a Liberal government is in power) the elected House would always have to give way, and it is inconceivable that such a state of things should long be endured. It is said that all that would be necessary in such an event would be a dissolution of the House of Commons; if, after a general election, the measure on which the difference had arisen was again postponed, the House of Lords would certainly accept it. But this is by

no means certain. What leads the House of Lords to give way when the will of the nation has expressed itself is the knowledge that in the last resort the royal prerogative of creating peers can and will be employed. In the Reform struggle of 1830-1832, when, if ever in English history, the national will was plainly and loudly declared, the Lords refused to accept the results of two general elections, and only gave way in the end, though London was threatened by violent insurrection, when the King set down in writing his undertaking to create peers. If the possibility of this kind of coercion were finally destroyed, as the reform schemes would destroy it, the probability is that a proud and high-spirited aristocracy would very quickly forget its willingness to submit to the declared will of the people; and the end would sooner or later be a violent revolution. In any case, it would be necessary that whenever a political party, which was in a small minority in the House of Lords, obtained a majority, however large, in the House of Commons, it would have to submit to a new general election for every measure of any importance which it put forward. And as general elections are always fought on numerous and confused issues it would be always open to the House of Lords, when a disputed measure was sent up to them, to say that the election had been won on other issues, and to reject the measure once more. For such a system of permanent and legalised confusion there can, of course, be no defence, and until the deadlock

difficulty has been fairly faced and dealt with these reform schemes must be dismissed as more than useless. It is worth remembering that the proposal to restrict the number of the House of Lords without altering its hereditary character is no novelty. It formed the essence of the Peerage Bill of 1719, whereby the Lords endeavoured to restrict within very narrow limits the royal prerogative of creating peers. It is a commonplace of the history books that if Sir Robert Walpole had not defeated this Bill the development of a parliamentary executive in England would have been impossible, and the country would in the long run have fallen under the rule of a permanent and irremovable oligarchy. Though the form of the proposals of 1910 is different from the form of the proposals of 1719, yet they are open to all the same objections.

The only suggestion made for overcoming this vital difficulty is the suggestion that the executive government for the time being should have the right of nominating a certain number of life-peers. There is a good deal to be said in favour of life-peers. They are likely, as a general rule, to be men of some ability, and if the action in the House of Lords in 1856 had not prevented it, the creation of life-peers might, during the last fifty years, have materially diminished the difficulty of the problem with which we are now faced. But life-peers will not avail to overcome the deadlock difficulty unless the executive government for the time being is given the right

of nominating an indefinite number. The result of this would be that the House of Lords would be swamped with life-peers as soon as a Liberal government came into power, and re-swamped in order to rectify the balance when it was succeeded by a Conservative government; before long the House of Lords would be larger than ever, and the weeding out of hereditary peers would have been of no avail. Worse still, all these life-peers, being nominated for the express purpose of forcing through the legislation of the government in power, would be party men; every measure would go through by an automatic party majority, and the House of Lords might as well not exist at all, so far as the performance of the revising functions of a Second Chamber is concerned. For these reasons nobody has seriously proposed the unlimited creation of life-peers; the reform schemes contemplate only a small number in this class, and the hereditary peers are not likely to support any proposal which would enable the life-peers to outvote themselves. On this restricted basis life-peers would not help at all to overcome a deadlock. In theory it might provide an avenue for the admission to the House of Lords of men of distinction in various spheres of national life, and of men of moderate views. In practice it would not even present this advantage. For a Liberal government, condemned to submit its legislation to a chamber already predominantly Conservative, must be forced to use to the uttermost its power of nomination to place in the

chamber a body of sworn party men on whom it could rely; a Conservative government must be tempted to use its power in the same way, or (out of respect for, and under the influence of, the hereditary element) not to use it at all; the result would be that cross-bench men, or men whose distinction had been won in other spheres than that of politics, would be excluded by both sides; and this element in the House, like the others, would be sharply partisan. It is possible that a nominated element, whether holding office for life or for a term of years, might be found valuable in a chamber otherwise constituted; it could be of no avail to correct the defects inherent in any scheme for turning the House of Lords into an efficient Second Chamber without fundamentally changing its character.

There is still less prospect of success in certain minor proposals for adding new elements to the House of Lords; and if we devote a few sentences to the examination of these, it is only because they may possibly be worth keeping in mind when we come to consider how a new Second Chamber should be constituted.

The most important of these is the proposal that a certain number of members of the House of Lords should be elected by County Councils, or by groups of County Councils. This suggestion deserves careful consideration, because it has often been put forward as affording a possible basis for a completely reconstructed Second Chamber, and was indeed urged by no less a person than Cobden, more than seventy years

ago. It is no doubt suggested—in Cobden's case it was certainly suggested—by the practice of the United States, whose Senate is composed of two representatives of each of the States in the Union; and the theory on which it rests is that it would provide members of administrative experience and knowledge of the practical problems of government, and that it would give an impartial representation of the varying needs and opinions of different parts of the country. That is all mere theory, however, and would not work in practice. The analogy of the United States Senate is certainly not attractive; and when Cobden advocated this device he was influenced by an unreasoning admiration for American institutions which has, since his day, been certainly much tempered. The proposal is left very vague. We are not told whether the number of representatives is to be proportionate to population, or whether counties are for this purpose (on the American analogy) to be regarded as equal. We are also left in doubt whether County Borough Councils would be included among the electing bodies. If they are to be omitted, the reason leaps to the eye. But we need not concern ourselves with these details; for, whatever form the proposal takes, it is radically vicious. County Councils were not designed as electoral, but as administrative bodies. It is highly important that, so far as possible, their members should be elected solely on the ground of their fitness for their work, and not on the ground of their opinions on national politics,

which can have nothing to do with their work. Hitherto party politics have been largely kept out of these elections, or, at the most, have only been a secondary consideration. But the immediate result of imposing upon the Councils the duty of electing members of the House of Lords would be to turn the whole force of the party organisations on to these elections, and to make questions of party politics the governing factor in determining them. The electoral function of the County Council would come to outweigh the administrative. The importance of securing that a member's vote should be rightly given in the election of a representative to the Second Chamber would dwarf the importance of securing that the management of roads and schools was in the right hands; and many valuable men would be excluded from this branch of service because their opinions on Home Rule and the navy did not commend themselves to the electors. The candidates of each side for the Second Chamber would be nominated by the party caucuses, and the candidates for the County Council would be required to pledge themselves beforehand to vote for A or B. Thus the malign influence of the party caucus will be still further extended; the partisan character of the Second Chamber will be still more accentuated; and the administrative efficiency of a series of important public bodies will be seriously impaired. Whatever devices we may adopt either for amending the House of Lords or for constructing a new

chamber, election by County Councils should be avoided like the plague. And what applies to County Councils applies equally to all other methods of indirect election; for in a country dominated by party divisions any body which has an electoral function imposed upon it will lie open to the same dangers.

The presence of the Bench of Bishops in the House of Lords always makes it a little difficult to uphold the doctrine of the House's complete impartiality when bills of the order of recent Education Bills are under discussion. Accordingly it has been suggested, and the suggestion has had the support of many of the bishops themselves, that representatives of the Roman Catholic and Dissenting Churches should be added to the House of Lords. Except to those who believe that clergymen, as such, ought not to find a place in the House of Lords at all, the suggestion is an attractive one; and it is very generally assumed that something of this sort both can and will be done. But the difficulties of embodying the suggestion in a concrete proposal are so great as to be probably insuperable. It might be possible for Roman Catholic bishops to attend the meetings of the House, though their presence would at once arouse all that rabid Protestantism which it is still astonishingly easy to awaken in England. But certainly the hard-worked and, for the most part, meanly-paid ministers of the Dissenting churches could not possibly find time to attend to the duties of a legislator, unless, indeed, the privilege of election

was confined to London ministers, a proposal which would not be likely to arouse any wild enthusiasm in Wales, Scotland, the North of Ireland, or the English provincial cities. More difficult still, how are the numbers and allocation of these representatives to be determined? Will the representatives of each sect or group of sects be proportionate to the number of their adherents, and if so, how are these numbers to be computed? Are all the sects named in Whittaker to be represented? If not, how and where is the line to be drawn? The legislator who tries to draw it will find that he has put his hand into a hornet's nest. When these preliminary difficulties are overcome, the legislator will next find himself faced by a more general question. If the clerical profession is to receive such substantial representation, why should the other professions be altogether neglected? For the days are gone when the clerical profession stood on an entirely different footing from all other professions, and when the clergy, in any real sense, constituted a separate estate of the realm. The lawyers are already more than adequately represented in both Houses of Parliament. But why should the doctors be left out? Their advice would often be of the highest value. Why should the teachers be left out? They might at least be able to secure that amid the wrangling of the sects over what is called education, there should be some thought for the child and the school. Why should the engineers be left out? They are reshaping the

modern world, and half of our problems are engineering problems. Why should the trader and the manufacturer be left out? Parliament spends much of its time in managing his business, but he is not very effectively represented in the House of Lords by a few noble chairmen of limited liability companies. Once the question of professional representation is raised, there is no end to the claims that might properly be made; and there is no argument in favour of the presence of clergymen in the House of Lords which does not apply with equal or greater force in favour of the presence of doctors, teachers, engineers in the House of Lords.

The last reforming proposal with which we shall deal is the proposal that representatives of the great self-governing colonies should be added to the House of Lords. It has aroused a good deal of public interest, for every Briton desires to see the Empire more effectively welded together, and would acclaim any scheme whereby representative colonial statesmen should take counsel with home statesmen on matters of common interest. But the Second Chamber does not seem to be the point at which such co-operation would be most profitable. The colonist is not concerned in our legislation, which, with rare exceptions, does not affect him, and the chief business of the Second Chamber is legislative. It is on the administrative side that the colonist is mainly affected, and co-operation in this sphere has already promisingly begun in the Colonial Conferences of various kinds which the last few

years have seen. Legislative co-operation must wait until we see our way to a legislative body which can make laws valid for the whole Empire. In the meanwhile, to introduce colonial representatives into our acute party controversies could do no good and might do much harm. It would be hard for colonial members of the House of Lords to avoid identifying themselves, and so, in the eyes of the nation, identifying their colonies, with a particular party. The colonists would resent this as much as the British electorate, and the result would be that the colonial members would either have to do nothing or get into hot water. If it should come about that the voices and votes of colonial members were found to be ranged on the side of resistance to some genuinely popular demand, the effect on the sentiment of imperial unity in England could not but be unfortunate. It ought to be noted, however, that it has only been proposed to introduce into the House of Lords four colonial representatives. So small a number could not in any way seriously influence the character and colour of a large assembly; and the proposal, therefore, cannot be said to contribute anything to the solution of the real problem. It would probably be unfair to suggest that one motive for introducing this element into the scheme of reform was the belief that all the colonies would sympathise with the Conservative party, and that through these representatives the prestige of colonial support might be secured for Conservative policy.

Certainly such an anticipation would be liable to disappointment when these citizens of democratic countries found themselves called upon to express an opinion upon our politics; and a suspicion of this may be responsible for the very small number of colonial representatives suggested.

We have now surveyed, with a good deal of care and perhaps undue elaboration, all the chief proposals which have been put forward for the reform of the House of Lords, and we have found a satisfactory solution in none of them and in no combination of them. Some of them are theoretically plausible and practically unworkable. Some of them aim at desirable ends, but would in practice do more harm than good. Most of them would only tend to accentuate the worst features of the existing House of Lords, especially its partisan character, and to rob it of such valuable qualities as it possesses. None of them promises to enable the House of Lords to perform the functions of a Second Chamber more efficiently or with less bias than it has hitherto done. All of them intensify to a quite intolerable degree the difficulty of a deadlock between the two Houses of Parliament. Yet we have found that some of these proposals are in themselves sound enough; it is only when they are tacked on to a House predominantly hereditary that they become futile or mischievous. We have found also that the hereditary legal basis of the House of Lords, once it is touched, crumbles into nothing, and that the proposals for reducing the

number of hereditary peers inevitably lead us to repudiate hereditary peers altogether.

Either, then, the House of Lords must remain as it is, and the existing difficulty be met by some means other than the reform of its constitution, or it must be replaced by a new Second Chamber, from which the hereditary principle as such shall be banished.

VI

THERE being no satisfaction to be got from the Conservative reformers of the House of Lords, we turn to ask what guidance the Liberals have to give us, and what is their idea of a Second Chamber. And we find, with a shock of surprise, that most of them (or at any rate the members of Parliament and the managers of caucuses) have no ideas on the subject at all; nay, that nothing reduces them to such a state of speechless fury as the mere discussion of the subject, so that they almost turned and rent their own chosen leaders when they ventured to suggest that, in the present circumstances of deadlock and confusion, it might be well not only to deal with the immediate misbehaviour of the House of Lords, but to consider how that body, now that it has proved to be unworkable, can be replaced by a better body. They will have none of any such discussion; and, to the manifest relief of the House of Lords, they have forced their leaders to hang up the question indefinitely. Sir Edward Grey and Mr. Haldane have aroused the deepest mistrust among their followers, and are regarded by them as traitors to the Cause of the People, because they have dared to make the

reactionary suggestion that the House of Lords should be replaced by a new Second Chamber on a thoroughly democratic basis. The explanation of this extremely humorous and paradoxical situation is that the main body of strong party men among the Liberals have made up their minds that the one thing to be aimed at is the destruction of the absolute veto of the Lords upon legislation, and their complete exclusion from the realm of finance. Most of them seem to imagine that when this has been done a very satisfactory state of things will have been attained, and their own loud and oft-repeated declarations that the House of Lords, as now constituted, is radically unfitted to perform the functions of a Second Chamber go for nothing at all. They apparently do not seriously want to substitute for it a better working body. Certainly they are all of one mind that if a better working body is at some undefined future date brought into existence, the restriction of veto which they propose to apply to the House of Lords should apply to it also, even though it be a chamber of the most thoroughly democratic kind. The only explanation of this strange point of view seems to be that the minds of Liberal politicians have been so warped and embittered by their experiences at the hands of the House of Lords, that they are literally incapable of imagining a Second Chamber except as a body like the House of Lords, a body that has sworn death to all Liberal measures. Also they seem to be oppressed by

the burthen of their responsibilities as the representatives of the people. In their eyes it is only through the House of Commons that the Voice of the People makes itself heard, and they are resolved that the Will of the People shall prevail "within the lifetime of a single Parliament." The mere notion of the existence of a body (however democratic and representative in character) which should be empowered by law to prevent this Will, as formulated in the House of Commons, from becoming law "within the lifetime of a single Parliament," arouses them to fury. Now there is certainly a great deal of cant about these demands and protestations. As we have already seen, the House of Commons is far from being really representative; if it were really representative it would be unable to perform its main function of keeping an organised government, based upon the party system, in working order. It is always quite impossible, under existing circumstances, to tell whether the nation as a whole is really in favour of any measure before Parliament, or not. What is more, the nation, or the thinking part of the nation, is aware of this, and is every day less inclined to admit that whatever a House of Commons may decree represents its wishes, or even the wishes of a majority. The nation is, we may be very sure, tired of the House of Lords; but it is also far from satisfied with the House of Commons. And if the nation is called upon to choose between two things, neither of which it wants—on the one hand, the survival of

the House of Lords with all its ineffectiveness and partisan bias, and on the other hand, the removal of every permanently effective check upon the action of the House of Commons, with its over-sharply defined party divisions—it is not at all certain that the nation will not decide to leave things as they are until some more satisfactory solution is suggested to it. The only thing which makes one hesitate about this is that a large section of the nation happens at the moment to be very much alarmed by certain proposals to which it knows the House of Lords will give no resistance—the Tariff Reform proposals. If these were out of the way, it is highly probable that though there is a large majority quite resolved that the House of Lords will never do, there would be a still larger majority equally certain that the Liberal solution of the question will never do.

It is true that the Liberal solution of a restricted veto is not quite so foolish or so merely destructive as it at first view appears. It allows the House of Lords to reject a measure twice; and only when the measure has been thrown out three times in three successive sessions is the veto to be overridden. This means that it will take three years to pass a controversial measure, and as the duration of Parliament is to be statutorily limited to five years, it follows that only the measures introduced in its first three sessions, when it is still comparatively fresh from the electorate, will be certain of success. The system will also be likely to encourage a

spirit of compromise on both sides; for since the Lords will know that in the end their resistance can be overridden, they will be anxious, at any rate on the second occasion, to secure as much concession as possible; while the Commons will be glad to avoid the waste of time involved in going through all the stages of a bill three times, and will therefore be anxious to meet the Lords if possible. Moreover, the system will ensure delay in the passage of disputed Liberal measures; a delay which will give full opportunity for the canvassing of the subject in the press and on the platform; and no doubt there will be cases in which this public discussion will modify the views of the Commons, especially if a bye-election or two take place in the meanwhile. The proposal therefore leaves the Lords very real powers of criticism, amendment, and delay, and the power of absolutely prohibiting controversial legislation in the last two years of a Parliament. At the least this plan will serve to prevent that total breakdown of the whole system of party government which seems to be threatened by the present state of affairs.

Nevertheless the plan has grave defects, and not the least of these is that to most men it will appear to reduce the Second Chamber to futility, and will therefore shake the confidence in our system of government of those who believe (as most men believe) that a powerful Second Chamber is necessary. Confidence in the system of government under which men live is a national asset not to be lightly imperilled; and to main-

tain in existence an organ of state which is empowered solemnly to declare its belief that measures submitted to it are foolish or unjust, while at the same time you deprive it of all power to prevent these measures from becoming law, is a sure mode of undermining confidence. Nor will the ordinary citizen find it easy to understand why the veto-power, which is so mischievous as to be totally abrogated so far as the measures of the first three years of a Parliament are concerned, should be allowed to resume its full force in the last two years. Though, as has been said, its powers will still be substantial, yet a Second Chamber thus treated must appear a derisory thing, and its members will be apt not to take their duties seriously. The inevitable temptation of a body of men naturally proud and high-spirited will be to reject every Liberal measure summarily, at least on the first occasion, to leave hostile feeling to be worked up in the country by the ordinary agencies during the following year, and not to enter upon the serious discussion of the proposals until the second occasion, by which time party feeling will have been aroused to its hottest pitch. It seems probable that under the new system the Lords would throw out a larger number of Liberal measures than they now do. For they will no longer need to fear that the burden of popular displeasure will light upon them; they will have the most excellent excuse for rejection. "You have deprived us," they will say, "of the right of giving a final judgment; you have left us

only the power of referring these proposals to public discussion. Be it so; but in that case it is obviously our duty to give the People an opportunity of discussing your bill. That is now our main function; and we know that if the people wants the bill, we shall have an opportunity of passing it next year or the year after." Thus, while Liberal governments are in power, all legislative work will be carried on amid a redoubled and intensified clamour of party recrimination; and the discussion of each bill will be so prolonged that everybody will be heartily tired of it, and all enthusiasm for it will have worn off, before it is translated into an act.

This brings us to a defect of the scheme which ought surely to appeal to Liberal politicians, namely, that it will render it always impossible for the Liberal party to give effect to one-half of the proposals and promises on the strength of which they come into office. That, of course, has long been their fate. But they have hitherto been able to blame the House of Lords. Under the new scheme, which is their own scheme, they will be able to blame the House of Lords no longer. They will be condemned to waste the time of the House of Commons by the repeated discussion of every important measure; the last two years of a Liberal Parliament especially will always be compelled to spend much of its time on old measures, already discussed to weariness; and everybody will know that new measures then introduced will have but a slight chance of success. The force of this criticism is diminished

somewhat, but it is not destroyed, by the proposal that the close of a Parliament should no longer automatically put an end to a bill. For it will not be possible to take much serious interest in a measure which has no chance of passing until after a general election. This will give an air of unreality to the closing sessions of Parliament, which will tell heavily against the party in power when they go to the country; yet it will not be possible to abbreviate this period without sacrificing measures proposed two years before.

On the other hand, the scheme will provide no possible means of checking or revising Conservative measures, and we shall still be without the advantages of a Second Chamber when Conservative governments are in power. That would matter comparatively little if the Conservative party was genuinely conservative. But in these days both parties are equally revolutionary, because both parties are aiming at a reconstruction of the economic bases of national life. It is not only possible, but even probable, that this year or next the Conservative party will return to power with a substantial majority in the House of Commons. That majority will not represent any large majority in the country; it may even represent a minority. It may be got together by all sorts of motives: fear of Socialism, fear of Germany, fear of Home Rule, fear of undenominational schools would certainly have a large part in creating it. It would be quite impossible to say whether the country really

desired a Tariff Reform scheme. Yet a Tariff Reform scheme would assuredly be introduced, and no resistance would be made to it by the House of Lords. A Tariff Reform scheme might very well be followed by a scheme for universal compulsory military service, and to this also no resistance would be given by the House of Lords. These would be revolutionary proposals, deeply affecting the whole life of the nation; and if ever there was need of a powerful Second Chamber, it would be in dealing with measures such as these. Yet, owing to the rigid party discipline of the House of Commons, and the strong party bias of the House of Lords, they would go through with ease; they would not even be hung up for a year. Perhaps when this happens, the Liberal politician will begin to realise that a restriction of the veto power is not in itself a satisfactory solution of the Second-Chamber Problem. But his short-sightedness will not fully come home to him until the day when a Conservative government repeals the restriction of the veto, and proceeds to pass a measure for the reform of the House of Lords which will immensely strengthen that body, persuade the nation to give it another trial, enable it to nullify all Liberal legislation for another generation, give time for the complete establishment of a protective system, and so set up impregnably the ascendancy of the wealthy and privileged classes.

The truth is that the Liberal politician, thinking single-mindedly of the triumph of his

party cause, has approached the Second-Chamber problem from the wrong end. He ought to be asking himself what exactly are the sifting processes which a Second Chamber ought to perform; instead he is only fuming because he finds his progress barred by a massive gate, the key of which is in the possession of his opponents. He ought to be asking himself what kind of constitution would enable the Second Chamber to perform its functions, how a form of sieve could be designed which would impartially sift the grain from the chaff by whomsoever presented; instead he is only devising schemes for getting possession of another key to the gate for himself. He is jealous for the privileges and powers of the House of Commons, and when that House is in conflict with an unrepresentative and permanently partisan House of Lords, it is natural and right that he should be jealous. But he forgets that the privileges of the House of Commons have been in the past, and may again be in the future, inconsistent with the real interests and the liberties of the nation; he does not reflect that precautions, which may be reasonable against a purely hereditary chamber, may be not only inappropriate but improper against a chamber that genuinely reflects the national mind.

Obviously the powers of the Second Chamber must be in a large measure determined by its character and constitution. If we succeed in obtaining a genuinely representative Second Chamber, free from any marked partisan bias, and commanding the confidence of the whole

nation, to deprive it of the power of veto would be impossible. It may be said that in such a case it would not matter whether the chamber had the power of veto or not, since no ministry could afford to defy its judgment without losing public confidence; and no doubt that is so. But governments and parties may sometimes be desperate. They may know that defeat at the polls threatens them; they may know that some cause on whose advocacy their supporters have lavished money unsparingly has not converted the nation. In such a case (which might very easily arrive) the absolute veto of a Second Chamber might save us from a desperate and perilous experiment.

But, the Liberal may say, it is impossible to obtain a chamber in which all men will have confidence. At least, before limiting its power, let us know what the body is whose power is to be limited; and, before we assume that a wise and representative chamber is impossible, let us examine all the modes which have been or can be suggested. And at least let us remember always that by no means all men have complete confidence in the House of Commons, but that, on the contrary, some means of modifying its too-sharply partisan character is desired by most thoughtful citizens.

We ought clearly to endeavour to obtain a Second Chamber which will perform its special function at least as efficiently as the House of Commons performs its special functions. We ought to assume that it is possible to obtain such

a chamber until it has been proved to be impossible. And on that assumption we are bound to maintain that this chamber, when it comes, should exercise the fullest powers of criticism, amendment, and veto. All talk about the "predominance of the House of Commons" is mere cant; it has no validity except on the assumption that the House of Commons alone represents the nation; it cannot be upheld for a moment if the Second Chamber represents the nation with equal or greater closeness. In a true double-chamber system predominance should not belong to either chamber, nor should the chambers be co-ordinate; they should be equal and different, like man and wife, each performing its own proper function in the government of the nation.

It is, in fact, only in the realm of finance that any difficulty will arise in defining the relations of the two chambers, once the Second Chamber has been so reconstructed as to command the real confidence of the nation as a whole. It would surely be impossible wholly to exclude a genuinely representative Second Chamber from the realm of finance, since it is obviously easy to introduce sweeping and revolutionary social changes under the guise of providing ways and means. It was by a taxing bill that the American Revolution was commenced, by taxing bills that the free-trade system was established in this country; and as both of the great political parties are aiming at great economic changes, it is by taxing bills that the Conservative schemes of Tariff Reform and the Liberal attack on the

existing land system will be developed. These sweeping changes, both of which are regarded with great mistrust by large sections of the nation, will alike be presented in the form of provision for the needs of the year; either may be carried by majorities which are casual and do not reflect the real will of the nation. Many men of moderate views regard this state of things with a good deal of anxiety, and are inclined to think that if a Second Chamber is to be of any use it ought to be able to deal with proposals so vital as these. It was for this reason that many intelligent citizens, not averse from the 1909 Budget in itself, were unwilling to condemn absolutely the action of the House of Lords in rejecting it, since they could not amend it; and there were many others who, while they regarded the House of Lords as a body utterly disqualified by its partisan character from dealing with such proposals as the Budget embodied, would gladly have seen some of these proposals submitted to the arbitrament of a non-partisan and representative body. Nor do these doubts apply only to the discussions of budgets. Nearly all important legislative changes turn largely upon finance. It will be impossible to consider adequately the immense problem of Poor Law Reform, which must soon engage our attention whatever party is in power, without dealing with the financial provisions upon which any scheme of reform must rest. In view of the enormous functions now imposed upon local authorities, a reconsideration of the methods of

raising money for purposes of local administration has come to be one of the most urgent and important of public needs. These and other questions, vitally affecting the life of the nation, are primarily or largely financial in character, though they are quite independent of the system of national finance whereby the needs of the public services for the year are met. Yet by an ancient usage, unbroken for more than two centuries, the House of Lords is excluded from the effective consideration of these questions: it may not amend or alter the financial clauses of a Poor Law Reform Bill, or a Local Rating Bill; and if it considers these clauses dangerous, its only resource, however fully it may approve the other clauses, will be to reject the bill as a whole. The exclusion of the House of Lords from the consideration of financial questions was reasonable, because the House of Lords represents only one class, and that a class which is too directly affected by financial questions to be able to take an unbiassed view of them. But if we get a Second Chamber which does not stand for one class alone, but which is genuinely representative of the mind of the nation, will it be reasonable or possible to exclude from its purview questions of such vital import to the nation as a whole? There could be no difference of view on such a question were it not that, once the Second Chamber is allowed to touch Finance, the control of the House of Commons over the executive government, which is the foundation of our system, becomes insecure and divided. We

cannot allow government to be dependent for its existence upon two Houses which may take different views; for in such a case it might well happen that no government would be able to maintain itself in existence at all. We cannot run the risk of a repetition of the chaos into which national finances have recently been plunged. We must therefore assume as a postulate (since no other scheme of government has yet been suggested) that the House of Commons, and the House of Commons alone, must retain the control over ministries, and the power of withholding the supplies of the year as a means of compelling a ministry to resign. No other power than the House of Commons must be in a position to compel ministries to resign, or to force a dissolution of Parliament, for this power is indivisible; its division means chaos.

But is it past the wit of man, while accepting this principle in the most uncompromising way, to devise a means whereby a properly constituted Second Chamber should be able to deal freely, whether by way of amendment or rejection, with financial proposals which may vitally affect the life of the nation? Is it not possible to draw a clear line between those proposals which merely concern the supplies of the year, and which must remain under the single control of the House of Commons, and those proposals which are of wider effect? Clearly it is possible; and only an exaggerated emphasis on the privileges of the House of Commons, an emphasis which would become foolish and meaningless the moment the

House of Lords was replaced by a really representative Second Chamber, can blind men to the possibility. As soon as a representative chamber is established the custom whereby the House of Lords is prohibited from amending financial proposals should be rescinded, so far as it applies to bills which do not affect the maintenance of the national service for the year. The sole power of initiation of such proposals might very properly be left to the House of Commons; but the Second Chamber should be left as free to discuss and amend them as to discuss and amend any other legislative proposals. For the excellent reasons which have dictated the exclusion of the House of Lords from this sphere would no longer exist. But this leaves still untouched the possibility of introducing a social revolution—a complete system of tariffs, or a scheme of land-nationalisation —as a part of the Budget, in the guise of provision for the ordinary needs of the year. Is the Second Chamber to be excluded from the consideration of such proposals? Clearly it cannot be excluded if it is to perform its functions fully. But how can it touch these proposals without infringing the essential prerogatives of the House of Commons? The answer to this will be found in the fact that in any year the great mass of the taxation proposed contains no new principle, and is disputed by nobody. These elements in the year's Budget the Second Chamber should have no power to touch. But would there be any difficulty in

giving it the power, when the Budget is laid before it, to declare that such-and-such provisions embodied in the Budget are so new in principle that they ought to form the subject of separate legislation, sent forward in such a form as to enable it to be discussed, amended, or rejected? The power to make such a declaration might indeed be vested in another authority, as, for example, the Speaker of the House of Commons; but there seems no reason why it should not be exercised by the Second Chamber, if the Second Chamber were a truly representative body. Perhaps a majority of two-thirds might be demanded before such a declaration should have effect. There is no reason why such a method should not work easily and without friction. It would doubtless often happen that even those members of the Second Chamber who favoured a proposal of this kind would vote for its separate consideration as a matter of principle and order. There can be little doubt that most men who are not party fanatics would welcome such a method as a safeguard against ill-considered experiments in a very dangerous field. The fanatical Liberal might dislike it because it might place an obstacle in the way of his proposals for the special taxation of the rich; he ought to be reconciled by the reflection that, with a genuinely representative chamber, it would be equally operative against the protectionist proposals of his opponents. The fanatical Conservative might dislike it because it would prevent him from

being able, with a casual majority in the House of Commons, to pass his proposals of Tariff Reform; he ought to be consoled by the reflection that the confiscatory proposals of his opponents would have to run the gauntlet of many-sided criticism in a chamber whose verdict could not be dismissed as biassed.

We conclude, then, that the Liberal's device for solving the Second-Chamber problem, by leaving the constitution of the House of Lords undisturbed and merely robbing it of its absolute veto and excluding it altogether from finance, is no solution at all; that what we need, for the full realisation of self-government, is not a diminution of the powers of the Second Chamber, but a complete change in its character; and that if or when we obtain a real Second Chamber, its powers ought rather to be increased than diminished, and in particular it ought to be given the largest possible powers over finance consistent with the sole and undisputed control of the House of Commons over executive government.

But all this is conditional upon our being able to devise a satisfactory Second Chamber, and we have not yet got very far in the search for it.

VII

A SECOND Chamber, like any other public body, must be constituted in one or other of six modes: by hereditary right, by official right, by nomination, by lot, by election, or by some combination of two or more of these.

Hereditary right we have already discussed, and have arrived at the conclusion that as a legal basis it must disappear, since all that is beneficial in the hereditary principle can be better secured by other modes.

Official right also we have discussed, and arrived at the conclusion that if the right of membership of the Second Chamber were given to those who had held certain high offices of state, the chamber would be enriched by great experience and knowledge of affairs; but that if this class is to be admitted it should form a small proportion of the total number, lest the official point of view and the rigid party loyalty of front bench men should be too dominant in an assembly which ought to be consecrated to free criticism.

Of the system of appointment by nomination we have spoken, so far as concerns life-peers, but the possibility of nomination for a period

of years, as well as for life, should be kept in mind. The value or otherwise of a system of nomination must depend upon the person who exercises the power of nomination. If he be an entirely impartial person, nomination may produce an excellent body, composed of men of distinction in many spheres; possibly a body of greater personal distinction than could be obtained in any other way. But a collection of distinguished men will by no means necessarily constitute an efficient deliberative body; it is easy to imagine an assembly of great poets, generals, scholars, merchants, musicians, administrators, and physicians, every one of whom would bear a famous name, and who would form a most incongruous and ineffective legislature. It is an inevitable defect of nomination that it should be attracted by personal distinction rather than by the judgment or by the representative character (if one may so speak) of the nominee. Nor is it to be supposed that any single nominator, however well advised, could do even justice among the many and diverse interests of a nation. In England this would be an especially unreasonable expectation. For here the power of nomination must rest with the Prime Minister, as the official adviser of the Crown; and every Prime Minister is bound to think of the triumph of the cause he represents and the party he leads. An English nominated House, therefore, would probably consist of a few painters, divines, explorers, or men of science, nominated as "window-dressing" by each Prime

Minister in turn; and a great mass of solid party men, nominated for practical purposes. A House so composed could do nothing to qualify the too-sharp party cleavage of English public life, and this should be one of the aims of a Second Chamber. And if, at first, the personal distinction, the known names, of some of the members won for the House a measure of public influence, the assured party character of its debates and decisions would soon lead to a decrease of this influence. This would be the inevitable working of a system of nomination, whether the nominees held their places for life or for a period of years; but it would be most marked in the case of the shorter tenure, because precariousness of tenure is the surest mode of securing party loyalty. Despite its attractiveness, therefore, it seems that we ought to discard nomination as a mode of filling our Second Chamber; at most a few places might be left to be filled in this way, the nominee holding office for life.

We come, therefore, by a process of exhaustion, to election. Now election may be of two kinds—direct, that is, by the personal votes of electors, whether on a wide or a narrow franchise; and indirect, that is, by the votes of already constituted bodies.

The most obvious mode of indirect election, that wherein the right is exercised by already existing public bodies, themselves elected on a wide franchise, we have already discussed and discarded as likely to result in the degradation

of these public bodies, while, at the same time, accentuating rather than diminishing the sharpness of party cleavage, both in the legislature and in the country. But there may be more to be said for entrusting the electoral power to recognised public bodies which are not themselves elected, such as the Universities, the Colleges of Physicians and Surgeons, the Chambers of Commerce, the great Trade Unions, and other professional or trade organisations. This method, it might be urged, would secure more certainly than any other the direct and effective representation of all the most powerful and important interests in the country, interests whose concerns are at present unrepresented except by chance. There is much force in this contention, and no doubt the opinion of the official representative of the College of Physicians would carry much weight in a debate on public health; the opinion of the Trade Union representatives would be invaluable in a discussion on the regulation of hours of labour; the opinion of the representative of the Cotton Trade Association on the effect of foreign or domestic tariffs on that vast industry. But it is never very difficult to get these opinions; and there are many and grave reasons against such a method of election. It is a bad thing that trades and other special interests should, as such, be directly represented; such a practice would tend to diffuse still more widely the mischievous and dangerous principle already openly adopted by one great trade which proclaims that "our trade is our politics."

Moreover, when the list of interests to be represented came to be drawn up, the task would be found an impossible one; and on whatever basis it was finally constructed, it would to a certainty be challenged as giving undue weight to this or that group of interests, this or that social class, this or that party. Finally, who can doubt that the elections in all these bodies would very soon come to turn universally upon the old familiar party lines? A Conservative and a Liberal or a Labour man would be nominated for every seat, as happens already in the universities; and instead of having weakened the partisan divisions in the Second Chamber, we should find that we had strengthened them, and, at the same time, encouraged their introduction into many spheres of public activity from which they have hitherto been happily banished, and from which they are altogether alien. The Royal Society, having elected its representative on party lines, would soon be found electing its Fellows on party lines. It appears, therefore, that indirect modes of election are to be avoided altogether; they do not produce a less partisan assembly; they only introduce the party spirit into the bodies cursed by receiving the electoral privilege.

We are driven back, therefore, as a last resort upon direct election by constituencies of ordinary voters. And here, again, we have a choice between a wide, or a comparatively narrow, franchise. To adopt a wide franchise would seem to bring us almost inevitably to a Second

Chamber which in character and composition would be merely a reduplication of the first; and clearly that is a result to be avoided. Let us see, therefore, what is to be said in favour of a restricted franchise for the Second Chamber.

It is a device which has already been frequently adopted in other countries, and it seems a logical one. Many people feel that under a democratic franchise power rests ultimately with the weekly wage-earner. Even if he does not elect men of his own class (and he has latterly taken to doing that), he is so obviously the dominant factor in almost every constituency that candidates of all parties perpetually defer to him, and construct their programmes to catch his vote. This, in the eyes of many, is a mischievous thing; it means the essential dominance of one class in the House of Commons, and the only way of rectifying this is to secure the representation of other interests in the Second Chamber. Hitherto the Second Chamber has represented only the very wealthy, the controlling classes. But the wealthy and controlling classes are very well able to look after themselves; even if they lose direct control of the Second Chamber, both it and the House of Commons will continue to be filled mainly by members drawn from these classes, who may safely be trusted to see that their own interests do not seriously suffer. But between these two extremes lies the great middle class, or, rather, the complicated hierarchy of the middle classes, with all their subtle but keenly realised gradations of rank, from the doctor and

the partner in a business firm, through the clerk to the small shopkeeper. Here it is, we are always told, that the real strength and backbone of England is to be found. Hence come the men who really do the multifarious administrative work of the Empire, who find the brains for its industries and trade, who write its books and newspapers, who run its railways, who farm its land. These are the people who fill all the churches, while the classes above and below them have lapsed into irreligion. These are the people who maintain the sanctities and decencies of home: their wives good housewives, their children clean, well-tended, educated (in reason), and as genteel as circumstances permit. Here, indeed, is the heart of England. Here, if anywhere, you will find Mr. Balfour's Permanent Will of the Nation, embodied in the Average Man, the Plain Man, the Man in the Street. Above all, it is these folk who pay the heaviest burden of taxation, for they are the Income-tax Payers, always the last to receive relief. Amid all the grievances of the poor, amid all the clamours of the Trade-Unionist artisan, and the deference which these clamours command, amid all the wails of the plundered rich, it is the middle class alone that never grumbles, but does the nation's work, pays its taxes, maintains its best traditions—and gets no attention or relief. In the secular strife between rich and poor, the middle classes seem to be almost forgotten. In the fierce conflict between Wages and Capital nobody thinks of

Salary as a *tertium quid.* Yet the middle classes are more numerous, more industrious, more indispensable than ever they have been; the whole organism of Society turns upon them, and if they be left out of account, or be unfairly dealt with (as in their own view of the matter they very commonly are), Society will suffer for it. Removed alike from the insolence of wealth and from the terrors and the irresponsible greed of poverty, they can be trusted to keep a steady head and a sound judgment. Nor have they lacked eulogists. From Aristotle, whose ideal state was committed to the rule of those of middling fortune, to Lecky, who saw in the political system of 1832-1867 when the franchise was practically committed to the middle classes, the culmination of the glory and political felicity of England, the philosophers have sung their praises. Shall we not, therefore, when we are looking about for the stuff out of which to shape a Second Chamber, solid, responsible and of sound judgment, turn once more to the middle classes? Shall we not look to them to moderate the greed of Demos, to curb the insolence of wealth? Will not they best hold the balance of the State?

It is not difficult to lay down a rule which would make the Second Chamber a reflection of the solid and cautious judgment of the middle class. Now that the Income Tax has become a permanent part of our fiscal system, let us decree that the franchise, so far as concerns the Second Chamber, shall be limited to those who are assessed to Income Tax. This will give the vote

to something over one million persons, too large a number to be susceptible to the temptations of an oligarchy, yet only about one-seventh of the electorate for the House of Commons. These million men are distributed over all parts of the United Kingdom; they represent every industry and occupation; they include the great mass of the brain-workers of the nation. If we are to have a limited franchise for the Second Chamber, we could not choose any that would be more logical, or more simply worked. Yet no one has seriously proposed the adoption of this method. The two great political parties both avoid it; the Liberals, no doubt, because they fear the steady, timorous conservatism of the black-coated classes; the Conservatives because they are fighting for the privileges of an aristocracy. Perhaps they may ultimately fall back upon this solution as a compromise! But we may well doubt if that will happen. For it cannot be denied that the middle classes have ceased to be popular, have ceased to be an object of reverence and have become an object of ridicule. The workman has learnt something of his continental colleagues' contempt for the bourgeoisie, with whom, indeed, he clashes more frequently than with the aristocracy. The aristocrat, on the other hand (this is one of the commonplaces of the day), finds he has much more in common with the peasant or the factory operative than with the shopkeeper or the clerk. The middle-class man himself is ashamed of nothing so much as of being middle class. While

the upper and lower ranks in the social scale are "class-conscious" and frankly pursue class-ascendancy, the middle class has, as a whole, no class-feeling; it regards the upper class with reverence and abasement, the lower class with fear and an irritated dislike, but it has no sense of a common class-interest binding together its own minutely-graded ranks. The stockbroker and his wife do not feel that they have anything at all in common with the clerk and his wife; the clerk is afraid of nothing so much as of being confused or identified with the shopkeeper. Perhaps it may be urged that the absence of class-feeling is the very fact which makes the middle class especially suitable as the electorate for a Second Chamber. But when we investigate the reasons for this absence of class-feeling we begin to doubt whether it is so admirable a thing after all. For it is essentially due to the anxious snobbery, the timid conventionality, the almost total absence of large and general ideas which mark this class as a whole. It is not because of any lofty conception of the interests of the State that the middle class fails to be class-conscious, but just because each minutely-graded rank within it is so preoccupied with its own little proprieties, so jealous of the class beneath it, so anxious to be identified with the class just above it, that it can as little rise to the idea of class-interest as to the still wider idea of the interest of society as a whole.

It is a curious paradox that the middle class furnishes almost all the preachers of ideas; the

defence of the privileges of the wealthy is mainly conducted by middle-class journalists; the doctrines of Socialism are mainly interpreted to the working class by middle-class novelists, essayists and dramatists. Nobody consciously preaches the ideas of the middle class, because the middle class as such has no ideas; it has only prejudices and timid, irrational conventions; and those among its members who think for themselves are fain to identify themselves with any class but that to which they belong. There was a time when the middle class, or the greater part of it, had got certain political ideas into its head. It resented the disabilities placed upon Dissenters; it believed that its own prosperity was interfered with by the fiscal system imposed by the landowning oligarchy; and, despite its respect for rank, it disliked the legalised ascendancy of an exclusive social class into which its individual members longed to rise. These ideas made it Liberal during the greater part of the nineteenth century; either tradition, or the survival of some of these old resentments, still keeps a large part of it faithful to Liberalism. But on the whole these old emotions have been replaced by resentment against the Lower Orders, which are forgetting their places. The daughters of the Lower Orders make such unsatisfactory domestic servants, and the irritation of the domestic-servant problem is certainly affecting the political standpoint of large sections of English society. The rates, too, are abominably high; the black-coats of villadom feel that this is because they are

being made to pay for teaching the piano to the children of the Lower Orders, and providing them with innumerable other luxuries. In short, the dominant political idea (if we can call it an idea) of the frugal, orderly, well-living, conventionally-religious and anxiously-respectable inhabitants of villadom is coming to be a sort of dull exasperation against the working classes at large; and this, conjoined with the pre-eminent respectability of Conservatism, is making the middle class increasingly Conservative in politics. At the same time the rapid disappearance of small independent businesses, their replacement by great limited companies, and the astonishing and growing diffusion of investments in these great concerns are tending, more and more every year, to an identification of the interests of the share-holding classes, and the Conservative party has come to be, in the eyes of most of them, the great organisation for the defence of the share-holding classes. Thus a majority of the middle class has passed, during the last generation, into the Conservative fold, and the Conservatism of this class is, with few exceptions, of the narrowest, most timid, most idealess type imaginable. Descent still keeps a large section of the class loyal to Liberalism; but how dreary and ungracious a faith this middle-class Liberalism is! No doubt there will always be a very large section of the middle class permanently Liberal, and the grievances of local rating and the land-taxing programme of modern Liberalism have doubtless brought back a few to what was

once the predominant political faith of this class. But it seems clear that the Conservative party will maintain and even increase its ascendancy. And, apart from a few revolters from the middle-classness of the middle class, we may be sure that this class will never be enterprising enough to break away from the traditional parties, or to form or give effective support to any new grouping. The men of the middle class will continue to be the advocates, mouthpieces and organisers of parties which draw their main inspiration and ideas from other classes.

If these reflections are just, what are we to say to the project of a Second Chamber elected by the middle class? In spite of the *a priori* arguments of political philosophers, middle-class government has seldom been tried, and where it has been tried it has been short-lived. Second Chambers based upon a limited or middle-class franchise have been tried, but they have never been effective or influential, because they have always been timorous and afraid of ideas. And this ineffectiveness seems to be the inevitable product of the character of the class as a whole, a character which has belonged to it in all ages and in all countries. Are we to set up a Second Chamber whose governing characteristics will be conventionality, fear of the unfamiliar, and snobbery? By the consent of all parties, our chief concern in domestic legislation for a long time to come will be the war against unemployment and destitution and slumdom. Are we to place in judgment over all projects of this kind a

class whose chief desire is at all costs to keep down the rates and taxes, and whose fixed belief is that far too much has already been done for the Lower Orders, who have themselves to blame for the results of their own thriftlessness and dependence? Is it not certain that the inevitable result of constituting the Second Chamber in such a way would be to accentuate the warfare of classes, and to make more impossible than ever the realisation of the Utopian vision of a nation honestly setting its house in order with all kindliness and goodwill? Is it not patent also that to entrust the Second Chamber to a class which, beyond others, is governed by an unreflecting party loyalty, and cleaves to the party which bears an old name, without inquiring further, would be to establish more permanently than ever the unending and sometimes unreal warfare of our too artificially divided parties? We certainly should not thus obtain a chamber which could be said to represent every important national interest and every important aspect of the national mind, or which could claim to be free from the bias of class. What we should get would be an assembly of "safe" men, eminently respectable and unadventurous; a majority of them would be moderate Conservatives, a minority moderate Liberals with a strong Nonconformist tinge, but there would be no room for unorthodox opinions or unclassified and unusual groupings of political ideas. We should, in short, enthrone mediocrity, timidity and conventionality. We should secure a brake upon

hasty changes, not unlikely to act with some equality against sweeping changes proposed from any point of view. But it would be a rather ineffective brake, for the resistance of a body of men not moved by any strong emotions or any profound convictions would not be stubborn, and would stop short of the heroic. If this is the kind of Second Chamber which the nation wants, no doubt it can be obtained. If we establish it, we may be sure it will be short-lived, a mere transition to something different. It never could or would arouse any heartfelt loyalty or enthusiasm. It would, no doubt, be a sounder Second Chamber than the House of Lords, because it would be less uncompromisingly partisan, and because its membership and character would be open to change at each new election. But it would lack independence, candour, vigour, courage, and no one would ever dream of suggesting that it constituted a perfect Second Chamber.

Since this is likely to be the product of election on a limited franchise, let us see whether anything better would result from election on a wide franchise. Here we have the advantage of having a definite scheme to criticise. Sir Edward Grey and Mr. Haldane have aroused the anger of most rank-and-file Liberals by advocating the establishment of a Second Chamber to be elected on the same franchise as the first. They suggest that its members should be much less numerous than the members of the House of Commons, that they should be elected by very large con-

stituencies, and that half of the total should require to be re-elected every four years. The large size of the constituencies would make it necessary that the candidates should be men of known names, and would therefore tend to increase the personal distinction of the chamber. The arrangement for the periodical retirement of half of the members is intended at once to secure a certain continuity in the existence of the House, saving it from such violent and sudden changes as take place in the House of Commons, while at the same time contact with the movement of national opinion would be maintained. Evidently the advocates of this project do not contemplate the possibility of a dissolution of this House as a mode of solving a dispute between the two Houses; they have another device for this purpose: in case of a dispute the two Houses are to meet and vote together. By this arrangement a large majority in the House of Commons would always be able to override an adverse majority in the other House, and thus the "predominance" of the House of Commons would be assured.

The scheme is an attempt to put an end to the permanent ascendancy of a single party and a single class in the Second Chamber, and to make it more genuinely representative of the whole nation. But judged by the criteria which we have hitherto applied, the scheme has manifest and grave defects. Elected on precisely the same franchise, the new chamber would be far too like the House of Commons to prove an

efficient check upon it. If it be true that the interests of the working class who command a majority of votes, and of the wealthy class who supply the majority of representatives, are too exclusively regarded by the House of Commons, this would be equally true of the Second Chamber; and whether this complaint of the House of Commons is just or not, it is certainly believed by many, and their belief in it constitutes their reason for demanding a Second Chamber. We have seen that the rigid control of the party-machines over the elections to the House of Commons, and over the conduct of the members when elected, excludes from that body any representation of many important bodies of opinion in the country which do not exactly coincide with party divisions, and we have agreed that a Second Chamber is needed to correct this inevitable artificiality of party divisions. But the party machines would equally control the elections for the new and larger constituencies, and equally influence the votes of the members when they had taken their seats. This scheme would to some extent modify the exaggerated swings of the pendulum which add so much uncertainty to modern politics. It would, in a measure, call in the popular voice of a few years ago to qualify the assertions of the popular voice of the moment. But an assembly so completely based upon party as this would be, must be as little likely to show independence of view as the House of Lords itself, and must become merely the organ of the great parties in turn. Those

numerous and intelligent citizens who want a Second Chamber that will counteract the extravagances of party will therefore find no satisfaction in Sir Edward Grey's and Mr. Haldane's scheme.

Where, then, is satisfaction to be found? We have examined in turn every project for a new Second Chamber that has been submitted to the criticism of the nation; we have found good points in each of them, even the worst; but in every one of them we have found the virtues outweighed by the defects. Hitherto our discussion has been critical or destructive only. Yet at each point certain governing principles have perhaps made themselves clearer. Before we give up the Second-Chamber problem as incapable of any satisfactory solution, we shall perhaps do well to gather up these principles and set them out in order; possibly some guidance may come to us from that.

VIII

LET us now set out, in a clear and orderly way, the data of our problem as they have been exhibited in the course of our inquiry.

i. The British system of government, in the form which it has assumed during the last two centuries, rests essentially upon the existence and rivalry of two or more organised parties, competitors for power. The party system provides the motive force of our government; for it is the business of each party to have a clearly defined administrative and legislative programme to set before the nation, and so definitely is political discussion kept within the limits of these programmes that in the popular view nothing becomes "practical politics" until it has been placed upon the programme of one or other political party. In effect the only share which the mass of electors have hitherto taken in the government of the country has consisted in the determination, at general elections, which of the rival parties shall exercise power for the next few years. The parties endeavour to win the support of the electorate by their programmes; but it is always impossible to say whether a majority of the electorate favours any particular

item in the programme of either party; always impossible to say more than that on the whole it awards power to one party in preference to its rivals.

ii. The House of Commons is the body through which the choice between party and party is expressed; and the House of Commons therefore exclusively consists of adherents of the various parties, each pledged (within very narrow limits) to support the programme of his party. The chief men of the party which has a majority in the House of Commons form the Executive Government, and are expected to bring forward legislative proposals embodying the party programme. The party system gives unity and coherence to the government, and the certainty with which the government can count upon the confidence and support of its party in the House gives stability and firmness to its rule. It is the first duty of the rank and file of the party which has a majority to support the ministry; its second duty to make sure that the ministry loyally carries out its programme. It is the duty of other parties in the House to keep up a steady fire of criticism upon all the actions and proposals of the ministry from their special points of view. Thus coherence, firmness, and stability of government are combined with a certain degree of public control, and constant and open criticism and discussion. No other mode has ever been discovered of securing this combination of stability with free public discussion; and this combination, which is essential

to good government, cannot be fully secured unless the House of Commons is sharply and clearly divided into organised parties, so that the government of the day may always know how it stands. The existence of a government is dependent solely upon the House of Commons; so long as it commands a majority in the House of Commons for the programme which it puts forward, it remains in power, and only the House of Commons, and no other body, can dismiss it from power.

iii. In order to ensure that the party to which the nation has given a majority, and no other party or group of men, shall be able to wield power, and in order that it may dismiss from power a government which (through failing to fulfil the party programme or for some other reason) has lost the control of a majority in the House of Commons, it is essential that the House of Commons should be in a position to make government by any set of men not possessing its confidence impossible. This power it derives from its sole and undivided control over the granting of the moneys necessary to carry on government. This is a power which cannot be wielded by more than one authority, because if two authorities could refuse supplies, government might be made altogether impossible. So the power of the House of Commons to refuse supplies must be undivided and final. This does not necessarily mean that no other body may interfere with any part of the scheme of taxation proposed, though that has hitherto been the

general rule; but it does mean that at any rate the ordinary routine of taxation and expenditure must be in the hands of the House of Commons and the House of Commons alone.

iv. Since the House of Commons, as the body which is the medium of the electors' will in controlling and dismissing governments, must, in order to perform this function, be divided into sharply-discriminated parties, it follows that it cannot be in detail representative of the nation. It only represents the general preference of the nation as between the programme and methods of one party and another; it does not, and cannot, reflect, the almost infinite varieties and gradations of opinion which exist in the nation. It will probably nearly always be true that some of the items in the programme of the party which has received a majority would not, if separately submitted to the nation, have received a majority of votes. Very many of the electors believe in, or dislike, parts of the programmes of both parties; but they cannot express mixed opinions of this sort in a general election; and consequently the House of Commons does not at any time fully represent the nation. If it did, it would not be possible for any party to maintain a government in stable authority.

v. In order to rectify this inherent defect of the House of Commons, it is necessary to have a Second Chamber, so as to ensure that laws are not passed which run counter to the will or desires of the nation; and in order that it may do its work thoroughly, this Second Chamber

must have the widest possible power of amending and rejecting the measures which are sent forward from the House of Commons. In those cases, which frequently occur, in which a government proposes measures that have not been included in its programme submitted to the nation, the criticism of the Second Chamber is more necessary than ever. The powers of discussion, amendment and rejection, possessed by the Second Chamber, then, ought to be very wide. They ought, indeed, to have only one limit: they must not go so far as to enable the Second Chamber to usurp the peculiar function of the House of Commons and to make it impossible for a ministry which has a majority in that House to continue in office.

vi. In order that the Second Chamber may adequately perform its important functions, there are certain obvious characteristics which it must possess. (*a*) It must represent the various bodies of opinion existing in the nation with a fulness, and in a detail, not possible in the House of Commons; that is to say, it must include not only members of all the organised parties represented in the House of Commons, but also men who do not accept the whole programme of any party, or who dissent from a particular party in one or two important respects, or who express a point of view or represent a cause which does not come within the range of party politics. And, as far as possible, the number of members who uphold a given opinion or group of opinions in the Second Chamber should be proportionate

to the number and weight of those who hold that opinion or group of opinions in the country. (*b*) The Second Chamber must certainly not represent only a single class, or a few classes, of the community; or a single religious creed or a single economic interest; it must represent classes, creeds, trades or interests proportionately to their importance in the country, as nearly as may be. (*c*) It follows that the Second Chamber must, above all things, not be partisan, *i.e.* it must not permanently or predominantly favour any one of the parties which take turns in governing the country, or so use its powers as to give an unfair advantage to one of these parties over the other. (*d*) The members of the Second Chamber should be independent, that is to say, should be able to express their own opinions without fear of being punished for doing so, and without fear of damaging a cause which in general they approve by being perfectly frank in showing where and why they disapprove. And, in order that their opinions may carry the greatest possible weight, they should be drawn from among the ablest, wisest and most judicially-minded men in the country. It is evident, then, that the qualities of an efficient Second Chamber are very different from, and in some cases even the opposite of, those of an efficient House of Commons. While a House of Commons ought to be divided into clearly marked parties, party divisions in the Second Chamber will be the better of being vague and shifting; while loyalty to party is the prime

virtue of a House of Commons' man, independence of party obligations is a prime virtue of a Second Chamber man; while the best type of House of Commons man will be vigorous, aggressive and confident in his political faith, the best type of Second Chamber man will be reflective, cautious and impartially critical.

vii. The House of Lords has never possessed the virtues of a Second Chamber, and has never efficiently performed the functions of such a Chamber. It is not representative of the various bodies of opinion in the country, for it does not even contain members of two of the four organised political parties in the House of Commons; and the numbers supporting any particular opinion in the House of Lords are, in nine cases out of ten, grotesquely disproportionate to the numbers supporting that opinion in the country at large. It represents only a single class, it upholds practically only a single creed, and it stands predominantly for a single economic interest, that of land, though great wealth in any form receives its protection. It is grossly and undisguisedly partisan, more than five-sixths of its members belonging to one political party; and its action, on important occasions, is dictated by the leaders of that party, for the purpose of rendering its rivals powerless when they obtain a majority in the House of Commons. As a consequence its decisions show no real independence, but are governed in part by party needs, and in part by fear of the electorate. Its membership includes, indeed, some men of great

weight and wisdom. A few of these illustrate the virtues of heredity, being members of families possessing great traditions of public service; but most of the best members of these families are excluded from the House of Lords by the law of primogeniture. Other men of distinction are those who have been rewarded by peerage for great public services. But these men are outweighed by a great number of peers of no weight or ability; and while they sometimes give distinction to the debates of the House of Lords, they are seldom able to influence its action on important questions. Thus the House of Lords lacks every one of the qualities which we have seen to be essential to a Second Chamber.

viii. The permanent and irremovable character of the House of Lords results in another difficulty, for it renders conflict between the two Houses inevitable whenever any party which the House of Lords disapproves obtains a majority in the House of Commons. Recently the House of Lords has assumed the power of rejecting the provision of ways and means for the year, hitherto the sole prerogative of the House of Commons. By doing so it has overstepped the limits of power permissible to any Second Chamber, and has rendered the system of party government unworkable. It is therefore no longer possible to submit to the inconveniences and delays which have hitherto been endured; some way out of the difficulty must be discovered, unless the ultimate control of all effective power

is to pass into the hands of a permanent and hereditary oligarchy of wealth.

ix. There is no possibility of transforming the House of Lords into a satisfactory Second Chamber without changing its fundamental character. All proposals aiming at this end which either have been or could be put forward are open to two vital defects. In the first place they abrogate the only constitutional device now existing for overcoming an absolute deadlock between the two houses, since by limiting the number of members in the House of Lords they destroy the royal prerogative of creating peers of parliament. In the second place they all tend to eliminate from the House the few men of independent minds whom it contains, and to emphasise its partisan character and the sharpness of party divisions among its membership.

x. No device for merely limiting the powers of the House of Lords can provide more than a temporary solution of the difficulty, since we should still be left without a body capable of performing the essential functions of a Second Chamber as they have been described above. There would be no check or revision on the proposals of one party, and only vexations and partisan delays on the proposals of the other party. It is therefore necessary that a new Second Chamber should be devised.

xi. Qualification by service in great offices of state might provide a useful element in a Second Chamber, but it could only furnish, and ought

only to furnish, a small proportion of the members; the main character of the chamber being otherwise determined.

xii. A Second Chamber formed by nomination, whether for life or a period of years, is out of the question in England, since the nomination would necessarily fall to the Prime Minister, and would therefore inevitably be of a partisan character; the Second Chamber would then come to reflect the artificial party cleavage of the House of Commons instead of correcting it.

xiii. The constitution of a Second Chamber by indirect election must also be ruled out, since all experience shows that such a system works disastrous effects upon the bodies entrusted with the electoral privilege, by introducing into them the influences of party conflict upon national issues; while this device affords no promise of any diminution of the sharp cleavage between parties.

xiv. The election of a Second Chamber on a limited franchise suffers from the defect that a chamber so elected could not represent all the interests of the nation or all the bodies of opinion within it, but must stand primarily for class interests and tend to exacerbate class conflicts. Such a chamber would inevitably awaken the suspicion or hostility of the unrepresented majority, and it is very unlikely that it would be permitted to wield the full extent of power necessary for the adequate performance of the functions of a Second Chamber.

xv. All other modes being excluded, we are

reduced to the election of a Second Chamber on a democratic franchise. But the only proposal which has been authoritatively put forward is open to many and grave difficulties, above all to the objection that it would merely reproduce the character and organisation of the House of Commons; whereas we have seen that the Second Chamber ought to be widely different in character from the House of Commons.

Such are the data of our problem. It would appear that we have to devise a Second Chamber most of whose members would be elected on the same franchise as the House of Commons, but which would be widely different in character from the House of Commons. The elections must be conducted in such a way as to give the electors more than a choice between two party candidates, and to afford them a means of indicating their opinions with much greater precision and fullness than is now possible. If possible, those electors whose opinion deserves most weight, *i.e.* who have seriously considered questions of national importance, should be able to exercise greater influence than other electors. It is important to secure that the members elected should be men of independent views, and men who are known and respected; and that, when they take their seats, they should be able to express their opinions freely without fear of the crack of the party whip, without having to contemplate the loss of their seat as a punishment for having taken an independent line.

There is only one electoral method whereby these ends can be even approximately attained. This is the method of proportional representation by the single transferable vote in large constituencies returning numerous members. This system has already been briefly discussed with a view to discovering whether by its means the House of Commons could be made a more satisfactory body; we dismissed it, on the ground that it would break up the party divisions in the House of Commons and cause administrative confusion. But the very fact which made it unsuitable for the House of Commons makes it eminently suitable for the Second Chamber, since it ensures that the two houses shall be different in character. Let us examine how it would work.

Suppose that we have fixed upon 200 as the number of popularly-elected members of the Second Chamber. We should then divide the United Kingdom into about 20 great constituencies, each containing (on the average, though not uniformly) about 350,000 electors, and each returning (on the average, though not uniformly) 10 members. Now let us imagine an election in a constituency of average size. Any number of candidates might be nominated. But it is obvious that no candidate would stand a good chance of success unless he was favourably known to a very large number of electors over the great area of the constituency. Therefore the candidates, or the successful candidates, would be men of some distinction in one sphere

of life or another. The organised political parties would, of course, each nominate as many candidates as they thought they could carry, and they would doubtless endeavour to secure that the members of their parties should use their votes in the way most likely to be effective. But other candidates also could and would stand: Free-trade Unionists like Mr. Arthur Elliot; anti-Socialist Liberals like Mr. Harold Cox; Unionist Temperance men like Mr. Cameron Corbett; militarist Socialists like Mr. Robert Blatchford. Canvassing would be impossible in constituencies so large, and the candidates would have to trust to what was already known of them, and to the presentation of their views at meetings, in the newspapers, and in circulated documents. Thus the electors would be invited to discuss all kinds of political theories from all kinds of points of view; and they would almost certainly be able to find at least one candidate whose opinions substantially coincided with their own. When the time for voting came, the elector would receive a ballot-paper containing the names of all the candidates in alphabetical order, and would be instructed to indicate the order of his preference among them by marking the figures 1, 2, 3, etc., opposite their names. The less intelligent electors might possibly be rather bewildered by this; they might know the names and opinions of only one or two among the candidates. This would mean that they would not be able to go far in indicating their preference; consequently they would be

placed at a certain disadvantage as compared with their more intelligent neighbours. But the men who had clearly-formed opinions would be able to make a definite choice. The first preference (say) of a Unionist Free-trader would go (say) to Mr. Arthur Elliot; his second (say) to Mr. Harold Cox; his third (say) to a moderate Tariff Reformer. Suppose that of the 350,000 electors 300,000 voted. In that case 30,000 votes would be enough to elect a candidate. One or two candidates would get over 30,000 first preference votes. Then every elector who had given his first preference to these candidates could feel that he was directly represented and that his vote had not been wasted. Suppose that the leading candidate obtained 40,000 votes. His 10,000 spare votes would then be distributed among the remaining candidates in proportion to the number of second preferences given to them by the voters who had supported the leading candidate. Thus each surplus would be distributed; and when all had been disposed of, the total votes of the candidates at the bottom of the list, who had no chance of being elected, would be, one after the other, similarly distributed, until all the votes cast had been divided among ten candidates, who would be declared elected. Thus no vote cast would be wholly wasted, with the possible exception of the unintelligent vote of the elector who only knew the name of one unsuccessful candidate; and every elector would be entitled to feel that either his favourite candidate had been elected, or that his vote had

been given to that one of ten men whose views most closely corresponded with his own.

The result of an election conducted in this way would be that, in place of only four views, eight or ten or even more distinctive sets of opinions would be represented in the Second Chamber, which would present a closer reflection of the various bodies of opinion in the country than could be obtained by any other conceivable mode of election. At the same time every successful candidate would feel that he owed his position to the particular group of opinions which he expressed; he would therefore feel that he was independent of party caucuses, and that in taking his own line of criticism in the Second Chamber, he did genuinely represent a solid body of opinion in the country. Party caucuses would find it impossible completely to dominate an election thus conducted; and the electorate would be encouraged to think for itself in all the important issues of politics. The party man who differed from his party on a single issue—the anti-Home-Rule Liberal or the Socialist supporter of denominational schools, for example—would find no difficulty in maintaining his party loyalty; he would be able the more readily to give a regular party vote for the House of Commons, just because he would be sure that he would have an opportunity of making his special point of view felt in the election for the Second Chamber. Through a Second Chamber thus elected it would be really possible to tell what the country wanted. The elections to the House

of Commons might show that the country desired to place power in the hands of the Conservatives; the elections to the Second Chamber might show (for example) that at the same time the country did not want Tariff Reform; or, again, the country might desire to give power to the Liberals, but not desire to abolish denominational schools in rural areas. Surely that is the kind of definite double answer which we constantly need, and which under the present system we are constantly unable to get. Surely such a system would mean a real extension of Democracy, since it would mean that the deliberate will of the nation would be fully expressed. At the same time it would banish the fear which haunts many minds to-day, that a party which obtains a "scratch" majority on a mixed issue in the House of Commons may pass measures which the country really does not want. And as the Second Chamber when it differed from the House of Commons would generally exercise a negative voice, since the initiation of all important legislation would remain with the House of Commons, the result would be that its action would generally be conservative, in the best sense of the term. But its negative would mean not that an irresponsible chamber placed a barrier in the way of a reform demanded by the popular House; it would mean that the nation was not yet converted to the need of the reform, and that as soon as conversion took place, the barrier would disappear through a change in the membership of the Second Chamber.

This system would leave the party system as the basis of our scheme of government and the motive force in our political life. It would leave to the House of Commons the sole control over the formation and maintenance of ministries and over the ordinary revenues and expenditures of the nation; it would leave to the ministry and the House of Commons, as the spokesmen of the dominant party, the initiative and the main constructive function in all important legislation. But the Second Chamber would criticise these proposals, with freedom and independence, from many points of view which could not be represented in the House of Commons without breaking up parties and producing administrative confusion. No body of opinion in the country would any longer be able to say that owing to the cumbrousness of the party machine, its point of view had not received due weight; and the result of this would be, on the one hand, to confirm men in their loyalty to their party as the working engine by which things were done, by removing their misgivings about particular proposals of the party; and on the other hand, to diminish the acrimony of party strife. It is, indeed, almost impossible to exaggerate the sanative effect which a Second Chamber of such a character would exercise in the life of the nation.

By this simple device almost all the difficulties of our problem are made to melt away, and we have found a Second Chamber which is representative of many different shades of opinion, which

has a democratic franchise, yet is quite different in character and function from the House of Commons, which qualifies the rigidity of party divisions without impairing the strength of the party system as the basis of our government, which gives us a body of men independent of party ties in the expression of their opinions, and drawn from among the wisest, or at least the best-known, men in the nation. If we were to add to the 200 elected members a group of (say) not more than fifty life-peers, qualified by service in high public offices, we should make still more certain of having a body of great personal distinction.

Only one difficulty now remains, that of a possible clash between the two Houses. Any deadlock from such a cause would, of course, be far less likely to arise under such a system as is here suggested than under the existing system, for two reasons. In the first place, no ministry, Conservative or Liberal, could fail to give the greatest weight to the decisions of such a chamber, because the country would attach so much weight to them that the party which defied them would of a surety suffer at the polls. And in the second place, the chamber itself would be liable to re-election at the end of its defined period, whatever that might be. But, of course, it is not only possible but likely that there might sometimes be a small majority in the Second Chamber against some proposal which was supported by a large and enthusiastic majority in the House of Commons. In such

a case, where obviously there was no strong feeling against the proposed measure, and where the Second Chamber might very well misrepresent the feeling of the country, it would be easy enough for the two chambers to settle the matter in a joint session. Perhaps it might be laid down that when a measure, rejected by the Second Chamber, was proposed a second time by the House of Commons, such a conference should take place if more than two-thirds of the Commons were in favour of the measure, and less than two-thirds of the Second Chamber against it.

But to discuss such details, except for the purpose of showing how smoothly and how healthily such a scheme would work, would clearly be out of place here. It would be the more out of place because one feels that neither this scheme, nor any other scheme based upon principles and reason, stands much chance of being adopted by a nation which shrinks from the discussion of principles, and which never feels that it is discussing "practical politics" except when it is discussing the proposals put forward by rival parties as part of their tactics in their endless strife.

THE END

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